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*United States Government*











UNITED STATES PUBLIC HEALTH SERVICE  
RUPERT RILEY, Surgeon General

STATE LAWS AND REGULATIONS  
PERTAINING TO PUBLIC HEALTH

ADOPTED DURING THE YEAR 1915

REFPRINT No. 20  
FROM THE  
PUBLIC HEALTH REPORTS  
1915 AND 1916



WASHINGTON  
GOVERNMENT PRINTING OFFICE  
1916



**UNITED STATES PUBLIC HEALTH SERVICE**

**RUPERT BLUE, SURGEON GENERAL**

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— UNITED STATES PUBLIC HEALTH SERVICE.

RUPERT BLUE, *Surgeon General.*

DIVISION OF SANITARY REPORTS AND STATISTICS.

Assistant Surgeon General JOHN W. TRASK, *Chief of Division.*

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State and municipal health departments and reference libraries can obtain copies of this publication by addressing the Surgeon General, United States Public Health Service, Washington.

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The PUBLIC HEALTH REPORTS are issued weekly by the United States Public Health Service through its Division of Sanitary Reports and Statistics pursuant to acts of Congress approved February 15, 1893, and August 14, 1912.

They contain: (1) Current information of the prevalence and geographic distribution of preventable diseases in the United States in so far as data are obtainable, and of typhus fever, cholera, plague, yellow fever, smallpox, and other communicable diseases throughout the world. (2) Sanitary legislation, including court decisions on matters relating to public health administration and the laws and regulations being enacted or adopted by State and municipal authorities for the safeguarding of the public health. (3) Articles relating to the cause, prevention, or control of disease. (4) Other pertinent information regarding sanitation and the conservation of the public health.

THE PUBLIC HEALTH REPORTS are intended primarily for distribution to health officers, members of boards or departments of health, and those directly or indirectly engaged in or connected with public health or sanitary work. Articles of general or special interest are issued as reprints from the PUBLIC HEALTH REPORTS or as supplements, and in these forms are available for general distribution to those desiring them.

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## INTRODUCTION.

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Reprints from the Public Health Reports numbered 200, 264, 279, and the present volume, taken together, contain State laws and regulations pertaining to the public health approved or adopted from July 1, 1911, to December 31, 1915, inclusive.

Municipal ordinances, rules, and regulations pertaining to the public health have also been published currently in the Public Health Reports, and reprints numbered 70, 121, 199, 230, 273, and 364 are compilations of these ordinances and regulations which were adopted during the six-year period 1910 to 1915, inclusive.

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# STATE LAWS AND REGULATIONS PERTAINING TO PUBLIC HEALTH

ADOPTED DURING THE YEAR 1915.

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## ALABAMA.

### Communicable Diseases—Control of. (Act Sept. 22, 1915.)

5. That section 716 of the code be amended so as to read:

716. *The diseases named, the spread of which is to be controlled by law, and the conditions described that may be abated by law.*—Should the disease, the investigation of which is provided for in section 715 of this code, prove to be actinomycosis, anthrax, beriberi, chicken-pox, cholera (Asiatic), dengue, diphtheria (membranous croup), roetheln (German measles), glanders, hydrophobia, leprosy, malaria, measles, meningitis (epidemic cerebrospinal), mumps, ophthalmia neonatorum (conjunctivitis of new-born infants), pellagra, plague, poliomyelitis (infantile paralysis), scarlet fever, smallpox, tetanus, trachoma, trichinosis, tuberculosis (pulmonary), typhoid fever, typhus fever, whooping cough, yellow fever, or of other nature believed to be grave and at the same time contagious, infectious, or pestilential in character, or if the disease be known to be either one just enumerated and be so reported, the health officer of the county, city, or town shall promptly notify, in writing, the judge of probate and commissioners, or other board of like character, of the county, the mayor or intendent and the council of the city or town, according to the location of the disease, of the presence and extent of prevalence of the disease, and said health officer shall accompany such notification with such recommendations as he may deem necessary to prevent the spread of the disease, calling into consultation with him from time to time the committee of public health of the county board of health. Upon receipt of such notification and recommendation said county, city, or town officials, as the case may be, shall, after consultation with the health officer in charge and, if need be, with the committee of public health of the county board of health, appropriate such funds, or assume responsibility for such expenditures, as may be found necessary to prevent the spread of the disease.

If authorized to incur the necessary expense, the health officer of the county, city, or town in which the disease is located shall proceed to direct and supervise the enforcement of the measures of extermination of the disease authorized by the county, city, or town authorities concerned, whether such measure shall apply to persons sick of, or convalescent from, the disease or to those who have been exposed thereto. All employees needed to enforce the measures of control shall, subject to the approval of the committee of public health of the county board of health, be selected and employed by the health officer in charge and shall be subject to removal by said officer or officers, likewise on approval of the committee of public health of the county board of health. Whenever any of the diseases enumerated in this section, or one suspected of being such, appears in a county, incorporated city, or town under such conditions and surroundings

as to render it imperative that prompt and immediate measures to prevent its spread be enforced, the health officer of such county, incorporated city or town, as the case may be, shall have the right to institute and enforce such measures, subject to the approval of the committee of public health of the county board of health. Likewise, when any cause of disease, or any condition likely to become a cause, exists in a county, or in a municipality, the board of county commissioners or other like board, or the mayor and council, according to the location of said cause of condition, shall, on the recommendation of the county health officer, or on that of the municipal health officer, as the case may be, possess, and at their discretion may exercise, the right of appropriating and expending such funds as may be necessary to remove or abate said cause or condition. If, however, the cause or condition be due to neglect or inattention on the part of one or more persons, the cost of abatement shall be taxed against the party or parties responsible therefor and collected as other taxes are collected.

**State Board of Health, County Boards of Health, and Municipal Health Officers—Duties of. (Act Sept. 22, 1915.)**

1. That section 702 of the code be amended so as to read:

702. The State board of health shall, through its executive officer, have authority and jurisdiction—

(1) To exercise general control over the enforcement of the laws relating to public health.

(2) To investigate the causes, modes of propagation, and means of prevention of endemic, epidemic, infectious, and contagious diseases.

(3) To investigate the influence of localities and employments on the health of the people.

(4) To inspect all public schools, hospitals, asylums, jails, almshouses, theaters, opera houses, courthouses, public halls, prisons, markets, public public slaughter pens or houses, depots, passenger cars, industrial and manufacturing establishments, and other public places and institutions of like character, and whenever insanitary conditions in any of these places, institutions or establishments, or conditions prejudicial to health, or likely to become so, are found, proper steps shall be taken to have such conditions corrected or abated.

(5) To examine the sources of supply, reservoirs, and avenues of conveyance of drinking water furnished to incorporated cities and towns, and whenever these waters are found polluted, or conditions are discovered likely to bring about their pollution, proper steps shall be taken to improve or correct conditions.

(6) To prescribe and publish rules for the sanitation of depots and passenger cars on all railroads in the State, including the territory contiguous to said railroads.

(7) To exercise general supervision and control over county boards of health and over county and municipal health officers in the enforcement of the public health laws of the State in their respective counties and municipalities.

(8) To notify the court of county commissioners, or board of like character, of any county, or the mayor and council of any municipality, whenever it appears that the health officer of such county or municipality is negligent or inattentive to his official duties, whereupon it shall be the duty of said county or municipal officials to suspend the payment of the salary of their health officer until such time as an investigation of the alleged negligence and inattention can be procured in accordance with subsection (11) of section 703 of this code. At the end of such investigation it shall be the duty of the State board of

health, through its executive officer, to inform the court of county commissioners, or board of like character, or the mayor and council of any municipality, as the case may be, of the result of the investigation, which result shall be binding on the said court of county commissioners, or board of like character, or on the mayor and council of any municipality, as the case may be.

(9) To act as an advisory board to the State in all sanitary and medical matters.

2. That section 703 of the code be amended so as to read:

703. It shall be the duty of county boards of health:

(1) To supervise the enforcement of the health laws of the State in their respective counties, including all ordinances legally adopted by said counties, and by all municipalities therein, and to supervise the enforcement of the law for the collection of vital and mortuary statistics in their respective counties and in all municipalities thereof.

(2) To investigate through their committees of public health and health officers cases, or outbreaks, of any of the diseases enumerated in section 716 of this code and to enforce such measures for the prevention, or extermination, of said diseases as are authorized by law.

(3) To investigate through their committees of public health and health officers all nuisances to public health against which complaint has been alleged, and whenever a complaint is ascertained to be well founded they shall, through said committees and health officers, take such steps for the abatement of the nuisance complained of as the law provides.

(4) To exercise through their committees of public health and health officers special supervision over the sanitary conditions of public schools, hospitals, asylums, jails, almshouses, theaters, opera houses, courthouses, prisons, markets, public dairies, slaughter pens or houses, and depots and passenger cars on all lines of railroads in their respective counties, including the territory contiguous to the tracks of railway; also, over the sources of supply, reservoirs, and avenues of supply of drinking water furnished to incorporated towns in their respective counties; and whenever unsanitary conditions are found in any of these places or institutions, it shall be the duty of the executive officer, or other official of the county board of health, to order the county or municipal health officer under whose jurisdiction the unsanitary condition is found to use all authority in his power to have the same abated.

(5) To elect a health officer for the county and to fix his term of office: *Provided*, That it be not fixed at less than three years, the jurisdiction of which officer shall extend to all parts of the county except such as are comprised within the limits of incorporated cities or towns within the county: *Provided further*, That a county health officer shall be eligible for election to the position of health officer of any one or more of the municipalities within the county.

(6) To elect a health officer for every incorporated city and town in the county and to fix his term of office: *Provided*, That it be not fixed for a shorter period than three years. For all health officers so elected the authorities of the respective cities and towns shall fix fair salaries.

(7) To elect physicians to attend the inmates of the county poor house and jail and to fix the terms of office of such physicians: *Provided*, That they be not fixed for shorter periods than three years; *And provided further*, That both of said positions may be filled by the same physician, or by the county health officer. The court of county commissioners or other board of like character shall fix fair salaries for such physicians as may be elected to fill said positions, or for the county health officer should he be elected to fill said positions, or any one of them.

(8) To require the county health officer to submit to the judge of probate and county commissioners or other board of like character monthly reports, and also an annual report, on blank forms to be supplied by the State board of health, giving a full and complete account of all public health and sanitary work done in the county, together with such information, suggestions, and recommendations in regard to the protection of the health of the people as said board may deem proper: *Provided*, That the annual report shall include the vital and mortuary statistics of the county and of all municipalities therein.

(9) To require the health officer of every municipality in the county to submit to the mayor and council of his municipality monthly reports on blanks prescribed by the State board of health, containing full information as to prevailing health and sanitary conditions; also an annual report, likewise on blanks prescribed by the State board of health, containing full and complete information of all public health and sanitary work done in the municipality for the preceding year, which report shall include the vital and mortuary statistics of the municipality and such other information, suggestions, and recommendations in regard to the protection of the health of the people as said board may deem proper.

(10) To require the county health officer to forward to the State board of health by or before the 10th day of each calendar month a report of all births and deaths, specifying the causes of the latter that have occurred in the county, including all municipalities therein, for the preceding month; also, by or before the 1st day of March of each year, an annual report containing a full account of all public health and sanitary work done in the county during the preceding year, which report shall include the vital and mortuary statistics of the county and of all municipalities therein; and may contain such other information, suggestions, and recommendations in regard to the protection of the health of the people as said board may deem proper.

(11) To investigate the charges and specifications against health officers—county or municipal—as follows: Whenever a member of a county medical society, the executive officer of the State board of health, or other person submits written charges and specifications against the health officer of a county, or the health officer of a municipality therein, to such society, the president of the society shall refer the charges and specifications, without discussion, to the board of censors of the society for investigation and report, and shall instruct the secretary of the society to furnish the health officer, against whom charges and specifications are submitted, and the board of censors to which they were referred, certified copies thereof. The board of censors shall then appoint a time and place for investigating the charges and specifications and shall notify the health officer concerned and the party or parties making the charges and specifications of the time and place for the hearing; and shall further notify said parties that they will be accorded the privilege of being heard in person, or by counsel, or both, and of introducing such witnesses and written testimony as may be germane to the questions at issue. When the investigation has been completed and the board of censors is ready to report, it shall notify the president of the county medical society of that fact, whereupon the president shall call a meeting of the society, unless the time for a regular meeting be near at hand, giving the members not less than five full days' notice thereof and explaining to them the object of the meeting. When the county medical society meets in accordance with such notice, the board of censors shall submit a complete and circumstantial report of the investigation with which it was charged. After hearing the report and after such discussion thereof as may be deemed proper by the presiding officer, the society

may take action in either of the following ways: (a) It may entirely exonerate the health officer; (b) it may censure him; (c) it may impose a forfeiture of salary for such period of time as the society may deem just and proper; (d) it may remove the health officer from his position, to take effect in not less than 10 nor more than 15 days, all ballots being taken by ayes and noes and recorded in the minutes of the meeting. When the verdict rendered is removal from office, it shall be the duty of the county society to hold another meeting before the time arrives for the health officer to retire from office for the purpose of electing a successor: *Provided*, That the officer just removed shall not be eligible to succeed himself.

3. That subdivisions (a), (e), (h), and (j) of section 710 of the code be amended so as to read:

It shall be the duty of the health officer of a municipality:

710. *Subdivision (a).*—To keep, under regulations prescribed by the State board of health, a book to be styled the register of births, in which he shall register, so far as reported to him, the sex, race, and color of every child born in the municipality, the date of such birth, the name or names, age or ages, race, color, and occupation of the parent, or parents, together with such other details as said regulations may require; also, a book to be styled the register of deaths, in which he shall register the names, so far as reported to him, of all persons who die in the municipality, specifying the date, place, and cause of death, also the sex, color, race, previous occupation, and so far as can be ascertained the age of each deceased person, together with such other details as may be required by said regulations; also, a book to be styled the register of infectious diseases, in which he shall register, so far as reported to him, the name, age, sex, color, race, occupation, and place of residence, together with such other details as may be required by said regulations of all persons who may be attacked by any of the diseases enumerated in section 716 of this code; all of which registers shall be furnished by the authorities of the municipalities, and when filled, shall be filed by the health officer of the municipality in the office of the judge of probate in the county, who shall receipt therefor, and which receipts shall be forwarded by the municipal health officer to the State health officer for permanent filing.

*Subdivision (e).*—To make a general inspection of the municipality once each month and should he discover any unsanitary conditions it shall be his duty to cause such unsanitary conditions to be abated in so far as he is authorized by law; to visit the municipal prisons and any charitable institutions under the control of the municipality once each month, and to make a careful investigation as respects the drinking water, the food, the clothing and bedding, supplied to the prisoners or inmates; also, as to the ventilation, air space, heating and bathing facilities, closets, drainage, drinking water, etc., of these institutions and when any of said supplies are found to be inadequate in quantity, or bad in quality, or any of said conditions unsanitary, it shall be his duty to make, in writing, a circumstantial report thereof to the mayor and council of the municipality and to forward duplicates of said report to the county board of health and to the State health officer.

*Subdivision (h).*—To make to the municipal authorities and to the county board of health such reports of his official acts and at such times as said authorities and said board may prescribe.

*Subdivision (j).*—To attend conferences of health officers when summoned by the State health officer so to do, and to discharge such other health functions as are, or may be, required of him by law.

**State Health Officer—Required to Furnish a Bond. (Act No. 66, Feb. 20, 1915.)**

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Sec. 10. That the State health officer be, and is hereby, required to furnish a guarantee, or surety, bond, with one or more good and sufficient sureties, in the sum of \$5,000.

\* \* \* \* \*

**County Health Officers—Duties and Salaries. (Act Sept. 25, 1915.)**

I. That section 706 of the code of 1907 be, and the same hereby is, amended so as to read:

706. *Duties of county health officers; subdivision 1.*—It shall be the duty of a county health officer who devotes only a part of his time to the duties of his office:

1. To keep, under regulations prescribed by the State board of health, a book to be styled the register of births, in which book he shall register, so far as reported to him, the sex and color of every child born in the county, the date of such birth, the name or names, age or ages, race, color, and occupation of the parent or parents, together with such other details as said regulations may require; also a book to be styled the register of deaths, in which he shall register the name, so far as reported to him, of all persons who die in the county, specifying the date, place, and cause of death, also the sex, color, race, occupation, and, so far as can be ascertained, the ages of such deceased persons, together with such other details as may be required by said regulation; also a book to be styled the register of infectious diseases, in which book he shall register, so far as reported to him, the name, age, sex, color, race, occupation, and place of residence, together with such other details as may be required by said regulation, of all persons who may be attacked by any of the diseases enumerated in section 716 of this code; all of which registers shall be furnished by the court of county commissioners or other like board, and when filled said registers shall be filed by the county health officer in the office of the judge of probate of the county, who shall receipt therefor, and which receipt shall be forwarded by the county health officer to the State health officer for permanent filing.

2. To exercise, subject to the advice of the committee of public health and shall, so far as authorized by law, compel the removal or abatement of the sanitary interests of the county, and should he discover any cause of disease, or the existence of any condition detrimental to the health of the people, he shall, so far as authorized by law, compel the removal or abatement of the same, and should no authority for such removal or abatement exist he shall report the fact to the county board of health, adding such recommendations as to special action as he may deem proper.

3. To make personal and thorough investigation of the first case, or early cases, of any diseases suspected of being or known to be any one of those enumerated in section 716 of this code that may come to his knowledge or be reported to him, and should he decide such case or cases to be one of those enumerated in said section and in imminent danger of spreading, he shall in accordance with the law institute immediate measures to prevent the spread of such disease, and shall forthwith report the facts in writing to the judge of probate of the county, to the chairman of the committee of public health of the county board of health, and to the State health officer.

4. To obtain as needed at the expense of the county a sufficient supply of vaccine virus with which to vaccinate, without charge, all indigent persons of the county who may apply at his office, or at the offices of such physicians



throughout the county as may be supplied with vaccine virus for the purpose of assisting him in the vaccination of such persons.

5. To visit the county jail, all convict camps where any county convicts are worked, and the county almshouse, at least once each month and to make careful investigation as respects the drinking water, the food, the clothing, and bedding supplied to the prisoners of the former and the inmates of the latter; also, as to the ventilation, air space, heating and bathing facilities, closets, drainage, etc., of these institutions, and when any of said supplies are found to be inadequate in quantity or deficient in quality, or any of said conditions unsanitary, it shall be the duty of the county health officer to make in writing a circumstantial report thereof to the judge of probate and court of county commissioners or other like board, whereupon, it shall be the duty of said judge of probate and court of county commissioners to carry out whatever recommendations are made by the county health officer as respects the county jail and county almshouse, and said health officer shall forward duplicates of his reports to the county board of health and to the State health officer. He shall likewise visit the county courthouse and any other public building belonging to the county once each month and make investigations corresponding with those laid down in this section as applying to the jail and almshouse and should he find unsanitary conditions existing he shall report the same to the court of county commissioners or other like board, whereupon, it shall be the duty of said court of county commissioners to remedy the unsanitary condition in accordance with the recommendations of the county health officer.

6. To make to the State board of health by or before the 10th day of each calendar month a full report, so far as the facts reach him, of all cases of infectious diseases and of all births and deaths, specifying the causes of the latter that occur in the county, including all municipalities therein, for the preceding month.

7. To make to the judge of probate and court of county commissioners or other like board and to the county and State board of health by or before the 1st day of March of each year an annual report of all public health and sanitary work done in the county during the preceding year, which report shall include the vital and mortuary statistics of the county and of all municipalities therein, together with such information, suggestions, and recommendations in regard to the protection of the health of the people as he may deem proper.

8. To make to the State health officer prompt report of the presence in the county, so far as is reported to him, or as comes to his knowledge, of any of the diseases enumerated in section 716 of this code, furnishing such information and at such intervals as the State health officer may require.

9. To make to the county board of health such reports and at such time as said board may require.

10. To appear before the grand jury at each of its sittings and to report all violations of the health laws of the State, especially any failures on the part of the physicians of the county, including all municipalities therein, to report the births, deaths, and infectious diseases that occur in their practice; also, to report all failures on the part of midwives to report the births and the deaths that occur in their practice; also, to report failures on the part of dealers in coffins to report all sales of coffins made by them.

11. To authorize in writing any member of the county board of health to act for him in case of a contemplated absence from the county of such duration, or in case of a disability from any cause of such character, as would interfere with the discharge of his official duty: *Provided*, That such member accepts, in writing, such relegation of authority: *And provided further*, That he shall

notify the chairman of the committee of public health of the county, the judge of probate of the county, and the State health officer of such arrangement.

12. To be present at all meetings of the county board of health for the purpose of keeping that body fully informed as to health conditions prevailing in the county, and to likewise keep the court of county commissioners or other like board informed on such matters as said board may deem proper.

13. To attend all conferences of county and municipal health officers which may be called by the State health officer.

14. To discharge such other health functions as are or may be required of him by law.

*Subdivision 2.*—Whenever the court of county commissioners or board of revenue of any county shall deem it wise to provide a county health officer who shall devote all of his time to the duties of his office, and so declare by order entered on the minutes of such court or board, it shall be the duty of the president of the county board of health, except of such counties as have already employed health officers for all of their time, to issue a call for a meeting of said board, giving the members thereof not less than 10 nor more than 15 days' notice of the meeting, and further informing them that the object of the meeting is to provide for a county health officer who shall devote his entire time to official work. When the county board of health meets as above provided for, not less than a majority of the members thereof being present, said board shall proceed to remove the incumbent county health officer from office and to declare the office vacant, the officer so removed being eligible for election to the new office. The county board of health shall then proceed to elect a county health officer, who shall devote his entire time to the duties of his office. The county board of health shall then instruct the secretary thereof to notify the court of county commissioners or board of revenue that a health officer has been elected for the county for a term of three years, giving the name and address of the officer so elected, such officer to devote his entire time in promoting the health of the people of the county.

*Subdivision 3.*—It shall be the duty of all county health officers elected under the preceding subdivision 2 to devote all of their time to official work and to perform all of the duties above prescribed in this section, and in addition thereto the following:

1. To devote their entire time to the public health interests of the county and under no circumstances to engage in private practice.

2. To occupy an office in the courthouse of the county, to be assigned by the court of county commissioners or board of revenue, and, in the event of an office in the county courthouse not being available the said court or board shall provide an office for said county health officer conveniently located with reference to the courthouse.

3. To visit, so far as lies in their power, all cases of infectious or contagious diseases that occur in the county, for the purpose of seeing that all proper measures are enforced to prevent their spread, and to repeat these visits from time to time as may be necessary.

4. To make a special effort to locate all cases of tuberculosis and pellagra in the county, especially incipient cases, with a view of not only urging prompt treatment thereof but also the adoption of such precautions as are deemed necessary to protect others.

5. To inspect the schools of the county at least once annually with the view of seeing that they are supplied with pure drinking water and surrounded by sanitary conditions in all respects, especially to investigate whether or not said schools are equipped with sanitary closets; further, to examine the pupils of the schools at least once annually for the purpose of ascertaining any defects of

sight or of hearing that may exist, or of ascertaining the presence of adenoids, enlarged tonsils, skin diseases, spinal curvature, hookworm disease, etc., that may interfere with progress in their studies, and whenever any of the above named diseases or defects are discovered the county health officer shall so notify the parents of the child affected.

6. To teach the proprietors of slaughterhouses, dairies, grocery houses, hotels, lunch stands, etc., the importance of protecting all food products from dust and insects of every kind; also, to impress upon the people of the county the importance of similar protection in their own homes.

7. To teach the people of the county by lectures, newspaper articles and demonstrations the causes, modes of propagation, and of prevention of diseases, with special reference to the spread of disease by flies, mosquitoes, rats, fleas, ticks, and other vermin; also the importance of screening their houses against these purveyors of disease.

8. To teach the people of the county how to maintain sanitary conditions in and around their homes, especially how to supply themselves with pure drinking water and pure milk, and also how to provide sanitary closets.

9. To make such reports as may be required of them to the county board of health, to the court of county commissioners, and to the State health officer, said reports to be made on such blanks and forms as may be prescribed by the State board of health.

10. To attend meetings of the court of county commissioners or board of revenue from time to time, or whenever so requested, for the purpose of giving said court or board all desired information as respects the public health interests of the county.

11. To discharge such other health functions as are, or may be, required of him by law.

II. That section 707 of the code of 1907 be, and the same hereby is, amended so as to read:

**707. Salary of county health officer; how paid.**—The salary of the health officer of a county shall be fixed by the court of county commissioners or board of revenue: *Provided*, That in counties of 10,000 inhabitants or less the salary shall not be fixed at a lower rate than \$20 per thousand of population, and in counties of more than 10,000 inhabitants the decrease in the above rate shall not exceed 10 cents per thousand of population up to a population of 100,000, beyond which no further decrease shall be made. The salary for the health officer of a county shall be computed upon the basis of the last United States census, and shall be paid quarterly from the county treasury by the officer legally authorized to draw warrants on said treasury. The salary of health officers, commonly known as "all-time health officers," who are to devote their entire time to official work, shall be determined and paid as follows: In counties of less than 20,000 inhabitants the salary shall be not less than \$1,000 and not more than \$1,800 per annum; in counties of from 20,000 to 30,000 inhabitants the salary shall be not less than \$1,500 and not more than \$2,500 per annum; in counties of from 30,000 to 40,000 inhabitants the salary shall be not less than \$1,800 and not more than \$3,000 per annum; in counties of from 40,000 to 80,000 inhabitants the salary shall be not less than \$2,500 and not more than \$3,500; in counties of more than 80,000 inhabitants the salary shall be not less than \$3,000 and not more than \$5,000 per annum; all salaries to be based on population as shown by the latest Federal census, and to be paid monthly from the county treasury on warrants of the officer legally authorized to draw warrants on said treasury: *Provided*, That in counties having a population, according to the last or any succeeding Federal

census, of not less than 82,000 and not more than 100,000 said health officer's salary shall not be less than \$2,400 nor more than \$3,600 annually payable monthly.

**Foodstuffs—Inspection of Places where Sold. (Act Sept. 22, 1915.)**

6. That section 723 of the code be amended so as to read:

723. *Inspection of places where food is sold.*—The State board of health shall prescribe rules for the inspection of all public grocery houses, markets, restaurants, lunch stands, eating places, public dining rooms, together with pantries, kitchens, and yards belonging thereto, and shall furnish copies of said rules to county boards of health and to county and municipal health officers, whereupon it shall be the duty of said county boards of health, county and municipal health officers, to enforce such rules. Once every month the county and municipal health officers may announce publicly all places inspected during the previous month which have been found in good sanitary condition.

**Deaths—Certificates of. (Act Sept. 22, 1915.)**

4. That section 713 of the code be amended so as to read:

713. *Certificate of death.*—A certificate of death for each person who dies shall be made out by the physician who last attended the deceased, in accordance with a form prescribed by the State board of health. In cases in which a physician was not in attendance a certificate of death may be made out and signed by any licensed physician on information furnished by a member of the family of the deceased person, or by other person: *Provided*, That when reasons exist for suspecting that the deceased person did not die from natural causes neither the attending physician nor other licensed physician shall furnish a certificate of death, but shall advise that a coroner be summoned to hold an inquest over the body.

**Nuisances—Abatement of. (Act Sept. 25, 1915.)**

That section 718 of the printed Code of Alabama of 1907 be so amended as to read as follows:

SEC. 718. That whenever the health officer of a county, city, or town discovers a nuisance, or whenever complaint is made in writing to such health officer that a nuisance exists, such health officer, if the nuisance be in a municipality provided with ordinances for the abatement thereof, proceed in accordance with such ordinances, but if the alleged nuisance exist in a municipality not provided with ordinances fixing a method of procedure for the abatement thereof, or if the nuisance exist outside of the corporate limits of a municipality, the procedure shall be as follows: The health officer of such municipality, or of territory outside of the corporate limits of a municipality, shall thoroughly investigate the insanitary condition discovered, or complained of, and should he reach the opinion that the condition constitutes a nuisance, he shall promptly order the person or persons responsible therefor to remove or abate the same at his or their own expense, and shall fix a reasonable time within which this shall be done. Should the person or persons so ordered refuse or fail to abate or remove the nuisance within the time fixed, or should such person or persons notify the health officer of their refusal to abate or remove the nuisance, the health officer shall, as soon as can be done, request the chairman of the committee of public health of the county board of health to call a meeting of said committee, giving the members thereof ample notice of the time and place of meeting, for the purpose of determining the following things: (1) Whether or not the alleged nuisance is in fact a nuisance; (2) the method of abatement or removal; in case the alleged nuisance be declared in fact a nuisance; (3) whether the person

alleged to be responsible for the nuisance is in fact so responsible. Due notice of the time and place of such meeting of the committee of public health shall be sent to the person or persons alleged to be responsible for the nuisance.

A quorum of the committee of public health shall consist of not less than three members of said committee. In the event of a quorum not being present those members who are present shall adjourn to a date to be fixed by them, of which date the members of said committee who were not present, and also the person or persons alleged to be responsible for the nuisance, shall be duly notified. Whenever a quorum of the said committee is present the procedure shall be as follows: All evidence that may be offered, both for or against the alleged existence of a nuisance, shall be received, and all parties directly interested shall be heard in person or by counsel, or both. At the termination of the hearing the said committee shall submit its opinion on the questions propounded, in writing, a copy of which shall be furnished by the health officer concerned to the person or persons alleged to be responsible for the nuisance. Should the opinion of the committee be that a nuisance does in fact exist, and that the person or persons charged with responsibility therefor is the person or are the persons responsible for its creation or maintenance, the health officer concerned shall prescribe the time within which the nuisance must be abated or removed and must so notify the person or persons responsible therefor. Should such person or persons refuse or fail to execute such order the health officer concerned shall notify the court of county commissioners or other board of like character, or the mayor and council or other governing body of an incorporated town in which no ordinances exist fixing a method of procedure for the abatement of nuisances, as the case may be, whereupon it shall be the duty of the court of county commissioners, or other board of like character, or of the mayor and council, or other governing body, of such town, as the case may be, to proceed forthwith to have the nuisance abated in the manner prescribed by the committee of public health and shall be authorized to incur such expense as may be involved in such abatement. At the suit of said court of county commissioners, or of other board of like character, or of the mayor and council, or other governing body, of such town, in any court of competent jurisdiction, judgment may be rendered against the person or persons responsible for the nuisance for the cost of abatement, the cost to be a lien on the property from which said nuisance was abated, provided that the person or persons responsible for said nuisance is or are the owner or owners of said property.

In the event that the owner or owners of the property on which a nuisance exists be a nonresident or nonresidents it shall be lawful to give notice to such person or persons to abate the nuisance by publication in a newspaper published in the county in which said property is situated once each week for two consecutive weeks, the cost of such publication to be assessed to such owner or owners, and if not paid it shall be considered as a part of the expense of abating the nuisance. The court of county commissioners or other board of like character or the mayor and council or other governing body of a municipality may grant a person or persons responsible for the expense incurred by such court of county commissioners, or other board of like character, or by the mayor and council or other governing body of a municipality in the abatement of a nuisance such time as may be deemed proper in which to repay such expense, any such extension of time shall provide for equal annual installments, not to exceed 10, for all deferred payments, such deferred payments to bear interest at the rate of 5 per cent per annum, payable annually: *Provided, however,* That no municipality or county shall not [sic] be required to pay more than \$300 in any one year for the abatement of nuisances, unless such municipality or county has legally voted to expend larger sums, in which event the municipality or the county may stipulate an additional amount which it will consent to expend.

## ALASKA.

**Communicable Diseases—Notification of Cases—Quarantine—Placarding—Disinfection—Hospitalization—School Attendance. Common Drinking Cups and Common Towels. Spitting. (Reg. Commissioner of Health, Oct. 7, 1915.)**

### Notifiable diseases:

Actinomycosis.	Pellagra.
Amebic dysentery.	Plague.
Anterior poliomyelitis.	Tuberculosis.
Anthrax.	Rabies.
Asiatic cholera.	Relapsing fever.
Chicken-pox.	Rocky Mountain fever.
Diphtheria.	Scarlet fever.
Membranous croup.	Scarlatina.
Echinococcus disease.	Smallpox.
Epidemic cerebrospinal meningitis.	Trachoma.
Favus.	Trichinosis.
German measles.	Typhoid fever.
Glanders.	Paratyphoid fever.
Japanese lung fluke disease.	Typhus fever.
Leprosy.	Hookworm disease.
Malaria.	Whooping cough.
Measles.	Yellow fever.
Ophthalmia neonatorum.	

All cases of, or cases suspicious of, the above diseases are required to be reported by physicians to the local health officer within 24 hours. The report must specify the name of the patient, age, sex, residence, occupation, diagnosis, place where probably contracted, date of exposure, and date of onset.

Physicians are also required to report any obscure eruptive disease which may be of a contagious nature.

Teachers and principals of schools are required to report the appearance of a rash in a school child, exclude such child from school, and refer it to the health officer or family physician.

Householders are required to report to the local health officer or family physician the appearance of any acute disease of an eruptive nature occurring in the household.

Local health officers are required to keep a record of the diseases reported to them, and not later than the fifth of the month following must submit the report to the assistant commissioner of health for their division. These reports must contain, in addition to the information furnished the health officer by the family physician, the following data: Date of quarantine and placards, date of release, number of persons exposed immediately or remotely, place of business, or school attended.

Upon learning of the existence of any case of Asiatic cholera, leprosy, plague, typhus fever, or yellow fever the local health officers are required to immediately investigate and report at once to the Territorial commissioner of health.

Upon learning of the existence of anterior poliomyelitis, chicken-pox in adults, diphtheria, cerebrospinal meningitis, smallpox, scarlet fever, typhoid or paratyphoid fever, after these diseases have been absent from a community for a period exceeding

one month, local health officers, after investigation, are required to report to the assistant commissioner of health for their division, giving certain epidemiological information, and must at intervals make further reports of the progress of the outbreak.

When any dispute arises relative to the correct diagnosis of any communicable disease, the opinion of the local health officer prevails until the assistant commissioner of health or the person appointed by him can see the case. His decision must be final.

All health officers are required to make investigation of any communicable disease within their jurisdiction and to take the necessary measures to suppress it, in accordance with the regulations of the Territorial commissioner of health.

Health officers are given the power to remove and restrain in a pesthouse or isolation hospital, or to quarantine or isolate, any person ill of a communicable disease. However, no person can be so restrained until examined by the health officer. The health officer is then given power to quarantine, isolate, restrain, or disinfect any person or persons either sick of or exposed to a communicable disease, as well as to disinfect any room, house, or contents, clothing, bedding, etc., that may be infected.

Any person who does not obey the provisions of the law or rules of the Territorial commissioner of health, or who breaks quarantine or conceals a case of communicable disease, will be dealt with according to the law provided in such cases.

For the purpose of control, notifiable diseases are divided into three groups, with regulations for each group, except the third, and special regulations for the several diseases of each group.

In the first group are:

Diphtheria.  
Scarlet fever.  
Asiatic cholera.

Plague.  
Typhus fever.  
Yellow fever.

These diseases must be quarantined immediately by the health officer and special precautions taken.

By quarantine is meant that the patient, attendants, and all persons who come in contact with patient and attendants are required to remain in the house for a specified period, and that none except the attending physician may enter or leave the house.

Houses under quarantine must be placarded, the placard to contain the name of the disease and the fact that the house is quarantined.

The same rules apply to the sick as to the well in houses which are quarantined.

The health officer is the only one having authority to establish or release quarantine.

In the second group are:

Anterior poliomyelitis,  
Anthrax,  
Chicken-pox,  
Epidemic cerebrospinal meningitis,  
Glanders,  
Malaria,  
Measles,

Ophthalmia neonatorum,  
Relapsing fever,  
Rocky Mountain fever,  
Smallpox,  
Typhoid fever,  
Paratyphoid fever,  
Whooping cough,

and all cases of so-called Cuban, Dhobie, Egyptian, Japanese, Kangaroo, Manila, or Philippine itch.

Patients suffering from these diseases must be isolated. By isolation is meant that the patient is removed from contact with other inmates of the house and that the house is placarded, the placard to contain the name of the disease and the warning as to its contagious nature. The placard may be removed by the health officer only. Well persons may leave a house under these conditions provided their business does not bring them into contact with children, or they do not visit places of public gathering, or that the special regulations in such diseases do not state to the contrary.

In the third group are:

Actinomycosis.  
Amebic dysentery.  
Echinococcus disease.  
Favus.  
Uncinariasis.  
Japanese lung fluke disease.

Leprosy.  
Pellagra.  
Rabies.  
Trachoma.  
Trichinosis.  
Tuberculosis.

*Cholera, plague, and typhus fever.*—These diseases must be reported by wire, where possible, or where such facility is absent, by the quickest method of communication, to the Territorial commissioner of health, and must be strictly quarantined with day and night guard.

*Scarlet fever.*—This disease must be quarantined until desquamation has ceased and all inflammation of the throat, nose, and ears has disappeared.

No case of scarlet fever may be released from quarantine until six weeks have elapsed from the first appearance of symptoms.

All children who have not previously had the disease must be quarantined for 10 days after last exposure.

All bedding, clothing, dishes, etc., used in the sick room must be disinfected. Formalin or boiling water may be used for this purpose.

Before quarantine is raised the quarantined premises must be disinfected.

Before discharge from quarantine, patients must be bathed in a solution of bichloride of mercury 1-2000, or its equivalent.

Teachers living in the same house must not return to school until 10 days have elapsed from date of last exposure.

*Diphtheria.*—Quarantine must be maintained for at least six weeks from the beginning of the disease, and longer if sore throat, false membrane, or discharge from eyes, ears, and nose persists.

Nonimmunes exposed to diphtheria must be quarantined for 10 days after last exposure.

Bedding, clothing, dishes, etc., used in the sick room must be disinfected. Formalin or boiling water may be used.

Patients must receive a bath in a solution of bichloride of mercury 1-2000 before discharge from quarantine.

Teachers living in the same house with a case of diphtheria are not permitted to return to school until 10 days have elapsed from the date of last exposure.

*Smallpox.*—Health officers are required to investigate smallpox infection or exposure when cases are not attended by a qualified physician. Physicians must not only report cases, but contacts as well, to the health officer.

Patients must be isolated, preferably in an isolation hospital, until desquamation has ceased.

The house must be placarded with the statement that smallpox exists on the premises.

Contacts must either be vaccinated or isolated for 18 days, unless protected by a previous attack of smallpox or by successful vaccination within 7 years.

Upon the appearance of smallpox, all health officers are required to warn the public of its presence and to instruct the community in the methods for its prevention.

When smallpox actually exists, it is the duty of the health officers to vaccinate free of charge any person who may make application to them. The expense must be borne by the city, community, or Territory, the commissioner of health to decide which must bear the expense.

Where smallpox exists in a community, no child is permitted to attend school unless showing evidence of having had smallpox or of having been successfully vaccinated within seven years.



The quarantined premises and contents must be disinfected before quarantine may be raised.

Cuban itch, Japanese itch, etc., which are regarded as being mild forms of smallpox, must be treated as such.

*Measles.*—Cases of measles must be isolated. Nonimmune children coming in contact with measles are prohibited from attending any school until two weeks have elapsed after the beginning of the last case in the family.

Municipalities are authorized to enforce a stricter form of isolation if they deem it advisable or necessary.

Health officers are required also to notify the public upon the appearance of an epidemic of measles and to warn the community not to deliberately expose their children to infection.

Health officers are also required to inform teachers that measles is especially communicable in its early stages, and that they must therefore exclude all children showing symptoms of the nose, throat, or ears, and to report the names and addresses of such children to the health officer.

Cases should be quarantined not less than four weeks and until desquamation has ceased.

*German measles.*—German measles must be handled in the same manner as measles, except that isolation may terminate in one week from the beginning of the disease.

*Chicken-pox.*—Cases of chicken-pox must be excluded from school and isolated. Contacts are not required to be excluded from school. Chicken-pox occurring among adults must be reported and treated as smallpox.

*Whooping cough.*—Cases of whooping cough must be isolated. Such isolation must continue not less than five weeks from the beginning of the disease, or longer if the "whoop" persists. Contacts who have had the disease are allowed to attend school.

*Rocky Mountain tick fever.*—All cases or suspected cases of Rocky Mountain tick fever must be isolated and reported to the assistant health commissioner for the division in which the disease occurs and by him must be reported to the commissioner of health.

*Anterior poliomyelitis.*—Cases of this disease must be isolated for at least 21 days from the beginning of the illness.

Individual reports of these cases must be made to the assistant commissioner of health for the division in which the disease occurs and by him to the commissioner of health.

Contacts are prohibited from attending school until isolation measures are terminated and the premises have been disinfected.

All discharges from nose and throat must be immediately disinfected.

*Epidemic cerebrospinal meningitis.*—Isolation measures must be continued until the termination of acute symptoms, but no period of isolation must be less than 14 days from the onset, whether terminating by recovery or death.

Contacts in the house can not attend school until 10 days have elapsed after all restrictions have been removed and premises disinfected.

Individual reports of cases must be made by the physician to the assistant commissioner of health for the division in which the disease occurs and by him to the commissioner of health.

Doubtful cases of this disease must be temporarily isolated until it is determined that they are not of the epidemic type.

*Typhoid and paratyphoid fever.*—All cases of these diseases must be isolated. All but those in immediate contact with the case may come and go without restriction. Explicit directions must be given relative to, and the prevention of, the spread of the disease.

Excreta from the patient must be disinfected with quicklime or by boiling. Dishes, bedding, etc., in use must be disinfected with a solution of formalin or by boiling. The source of the infection must be sought for and necessary measures taken to pre-

vent the spread of the disease. During an epidemic, antityphoid vaccine must, on request, be administered free of charge by the local health officers. Vaccine must be furnished by the city, community, or Territory.

When a case has developed in a lodging house, hotel, or camp, the person who cares for the patient is prohibited from working at anything having to do with the preparation of foods. As far as possible, this prohibition also applies to private families. During the summer months rooms in which typhoid patients are treated must be screened, either at the expense of the family or the city or Territory.

All cases of so-called "typho-malaria" or malaria, unconfirmed by microscopical examination must be treated as typhoid fever.

*Malaria*.—Cases of this disease must be isolated as long as the disease remains in the acute form.

*Anthrax and glanders*.—Health officers are required to report to the assistant commissioner of health individual cases of anthrax and glanders in human beings. All such cases must be isolated until the termination of the disease.

*Tuberculosis*.—Physicians are required to report in writing to the local health officer cases of tuberculosis within five days after such cases have come under their observation. Upon the death or the removal of a patient with tuberculosis the premises must be thoroughly disinfected within five days, the expense of such disinfection to be paid by the owner of the premises. If the owner refuses to disinfect, the local board of health may do so at the expense of the city, the cost thereof being a lien against the premises.

*Leprosy*.—Upon the report of a case, the commissioner of health is required to decide upon its disposition. Patients who are discharging the bacilli of leprosy from ulcerated surfaces must be segregated and quarantined. Local authorities are prohibited from imposing quarantine in case of leprosy unless permission is obtained from the territorial commissioner of health.

*Favus*.—If, upon examination, a reported case proves to be favus, a child is prohibited from attending any school until cured, and such other measures must be taken to prevent the transmission of the disease as are required by the commissioner of health.

*Trachoma*.—No child suffering from trachoma is permitted to attend any school, except when a competent physician certifies in writing that the case is not in a communicable stage.

*Hookworm*.—Persons suffering from hookworm must be given proper treatment and isolated until the stools are free from eggs. Physicians and others are urged to cooperate with the authorities in securing information as to the existence of the disease in the Territory.

*Rabies*.—A case of rabies in persons must be reported by wire to the commissioner of health.

*Actinomycoxis*.—Suspicious cases of this disease should be reported to the assistant commissioner of health. Isolation of the case is not required.

*Pellagra, amebic dysentery, trichinosis, echinococcus infection, and Japanese lung fluke*.—Physicians are urged to report in detail the occurrence of any of these diseases within the Territory.

*Further regulations*.—Patients may be discharged from quarantine after recovery. Contacts may be discharged at the termination of the period of incubation of the disease after they have been personally seen by the health officer and have taken an antiseptic bath and put on clean clothes.

Before quarantine or isolation may be discontinued the room, house furniture, bedding, etc., must be fumigated.

Attending physicians are required to take all necessary precautions to prevent the spread of the disease.

It is prohibited for any city, community, or health district to quarantine against another city, community, or health district without the consent of the territorial commissioner of health.

Health officers are authorized to temporarily quarantine or isolate any suspicious cases pending a conclusive diagnosis.

Domestic animals must be excluded from the house in the case of first-group diseases, and from the sick room in the case of second-group diseases. If they are inadvertently admitted to the house or room during quarantine or isolation they must, upon the termination of the disease, be given a disinfectant bath.

In case of death, the health officer is required to continue quarantine or isolation measures until the end of the period of incubation in contacts.

In the case of smallpox, where there are no unvaccinated contacts, this further quarantine is unnecessary.

In cases of the exanthematous diseases of childhood, in diphtheria, infantile paralysis, or cerebrospinal meningitis, where there are no other nonimmune children surviving, quarantine may terminate immediately after disinfection.

In cases of diseases mentioned in the preceding paragraph adults may be released from quarantine or isolation after disinfection but may not again enter the premises until quarantine or isolation is discontinued.

After death from a first-group disease, no one except a licensed embalmer or a clergyman is permitted to enter the premises until after disinfection.

No milk or food products may be taken into a house under quarantine or isolation unless the container or wrappings can be destroyed. All containers for milk which have been used or handled by persons suffering from a communicable disease requiring quarantine or isolation must be sterilized before they may be used again.

The sale of milk or other dairy or food products from premises where diseased persons are undergoing quarantine or isolation is forbidden, unless the articles are prepared and handled by persons entirely separated from the sick, and then only upon written permission of the local health officer.

No person suffering from open pulmonary tuberculosis or any chronic typhoid or diphtheria carrier is allowed to do any work involving the handling of dairy, market, or food products in an unwrapped state.

The use of the common drinking cup and common towel is forbidden on common carriers, in public buildings, parks, hospitals, schools, hotel lobbies, etc.

Spitting on floors in public places or on sidewalks is forbidden.

*School hygiene.*—No teacher, pupil, or janitor may attend school from any house in which there is smallpox, varioloid, scarlet fever, diphtheria, or any other communicable disease. Nor can he return to school from any such house until three weeks have elapsed from the beginning of convalescence of the patient, or upon the certificate of a reputable physician.

In the case of whooping cough, chicken pox, and measles not of a malignant type, teachers, pupils, or janitors who have had the disease and entirely recovered may attend school.

Children suffering from a disease requiring quarantine or isolation must be excluded from school. All children in the same family must be excluded as long as the disease exists in the family, unless specifically provided for by regulation. In contagious conjunctivitis (including trachoma not in active stage), impetigo contagiosa, mumps, pediculosis, ringworm, scabies, or any suppurative disease of a foul or offensive nature, it is required to exclude children from school. However, in the case of ringworm, scabies, or pediculosis the child may continue school at the discretion of the health officer if proper treatment is instituted.

All children in a community where smallpox actually exists must be excluded from school attendance until vaccinated, unless they can present a certificate from a legally

qualified physician that they have been vaccinated successfully within seven years or can give evidence that they have had smallpox.

Whenever any pupil, janitor, or teacher in any school is afflicted with any disease calling for disinfection, the building, room, or rooms must be disinfected before they may again be occupied.

Whenever any principal or teacher believes that a pupil is suffering from or has been exposed to any communicable disease requiring exclusion from school, the child must be sent home and a report made immediately to the local health officer. Such child can not again attend school until a certificate is presented from a qualified physician that the child is not suffering from any disease.

Whenever any territorial or local health authority deems it advisable to close a school on account of the prevalence of any communicable disease, a written notice must be served on the school board or responsible official, directing that the school or schools be closed immediately, and no such school may be reopened until authorized by the health officer.

*Disinfectants.*—Disinfection or fumigation is carried out according to the recommendations of the different diseases. It is required for all diseases of groups 1 and 2 before the patients or contacts are released from quarantine or isolation. Disinfectants recognized under these regulations are those already mentioned and formaldehyde gas, using of the latter at least 16 ounces of a 40 per cent solution of formalin in a generator, or by oxidation, for each 1,000 cubic feet of room space. All openings must be closed and the cracks sealed with strips of paper. The time of exposure must be at least six hours. When a schoolroom has been occupied by a person suffering from any of the diseases of group 1—smallpox, anterior poliomyelitis, epidemic cerebrospinal meningitis, or measles—it must be thoroughly disinfected before being used again. The same applies to private schools and to parochial and Sunday schools. When a communicable disease has occurred on a vessel or in a railroad coach, such common carrier may not be used again until disinfected by the health officer. When a communicable disease has been present in a place where food is sold or which is used for dairying purposes and the sale of food or dairy products has been discontinued, the premises must be thoroughly disinfected before being used again.

#### **Rabies—Prevention of—Killing of Dogs Under Certain Conditions. (Chap. 37, Act Apr. 28, 1915.)**

SECTION 1. It shall be lawful for any person at any time to kill any vicious or mad dog found running at large.

SEC. 2. Any dog which when unprovoked has ever bitten or attacked a human being shall be deemed vicious in contemplation of section 1 of this act.

SEC. 3. Whenever any dog habitually annoys reindeer, sheep, cattle or horses or other domestic animals or domestic fowls or evinces a disposition which renders it likely that it will without provocation bite such animals or fowls, it shall be lawful for any person to kill such dog, when at large: *Provided, however,* That the owner or keeper of such dog, if known, or upon reasonable inquiry may be known, shall be notified and given reasonable opportunity to restrain such dog before it shall become lawful to kill it under the provisions of this section.

#### **Health Officers and Local Boards of Health—Expenses of. (Chap. 48, Act Apr. 28, 1915.)**

Section 15<sup>1</sup> of chapter 42, Alaska Session Laws of 1913, was repealed April 28, 1915. The section repealed reads as follows:

SEC. 15. *Expenses.*—Any necessary expenses incurred by any health officer or local board of health in the enforcement of this act outside of incorporated towns shall be paid, upon approval by the district judge, from funds derived from fines and forfeitures in the Territory of Alaska.

<sup>1</sup> Reprint No. 264 from the Public Health Reports, p. 16.

**Foodstuffs—Serving of, More than Once Prohibited—Inspection—Condemnation of Unwholesome. (Chap. 36, Act Apr. 28, 1915.)**

SECTION 1. That it shall be unlawful for any person in the Territory of Alaska to serve to any other person for pay any article of food or drink or any portion thereof which has theretofore been served to any person; and any person who violates any of the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be punished by imprisonment in jail for not more than six months or by a fine of not more than \$100, or by both such fine and imprisonment.

SEC. 2. That in all villages and towns, incorporated or otherwise, in the Territory of Alaska, all restaurants, lunch counters, hotels, bake shops, meat markets, fish markets, and all other places where food is served or sold, shall be inspected by a food inspector, to be appointed by the constituted authorities of such town or village, who shall have the power to condemn all articles of food and drink, whether prepared or otherwise, found by such inspector to be impure, dangerous to health, or otherwise unfit for food purposes; and any person who shall, after such articles shall have been so condemned, sell or serve to any person any of such condemned articles, for food purposes or without disclosing such condemnation, shall be guilty of a misdemeanor and upon conviction shall be punished by imprisonment in jail for not more than six months or by a fine of not more than \$100, or by both such fine and imprisonment.

**Births, Deaths, and Marriages—Registration of—Fees. (Chap. 44, Act Apr. 28, 1915.)**

SECTION 1. That sections 7 and 8,<sup>1</sup> of chapter 35, Alaska Session Laws, 1913, of an act entitled "An act to require the registration of vital statistics in the Territory of Alaska, and for other purposes," approved April 25, 1913, be amended so as to read as follows:

SEC. 7. That it shall be the duty of every person authorized to perform marriages within the Territory of Alaska to make out a marriage certificate in triplicate upon blanks which shall be furnished him by the Territorial registrar of vital statistics upon application therefor. The said certificate shall conform to the present requirements of the law of the Territory of Alaska as to what a marriage certificate shall contain, except that in addition to the present requirements of a marriage certificate said certificate shall state in what commissioner's precinct the marriage was performed and that said certificate will be filed for record and recorded in said precinct within 30 days after said marriage is performed, and the person performing said marriage shall deliver one copy of said marriage certificate to the husband, one copy to the wife, and within 30 days from the date of the marriage shall file the third copy with the United States commissioner of the precinct in which the marriage was performed. And the person solemnizing the marriage shall collect from the contracting parties an amount sufficient to cover the commissioner's fee for recording said marriage certificate, which amount he shall pay to the United States commissioner at the time he files said certificate of marriage. And in case he shall fail or refuse to collect said recording fee as above provided, he shall pay the amount of said recording fee to said United States commissioner out of his own funds. And any person failing or refusing to comply with the provisions of this section, or with any part thereof, shall be deemed guilty of a misdemeanor.

SEC. 8. That it shall be the duty of every United States commissioner within the Territory of Alaska to record every birth certificate, death certificate, and marriage certificate presented to him for record; and said United States commissioner shall receive as compensation for his services in recording each of said certificates the fees prescribed by the Attorney General of the United States for similar services performed by United States commissioners acting as ex officio recorders.

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<sup>1</sup> Reprint No. 264 from the Public Health Reports, p. 20.

The United States commissioner of each precinct shall on or before the 10th day of each month transmit to the Territorial registrar of vital statistics all original certificates of birth, death, and marriage filed with him for the preceding calendar month; and he shall at the same time submit to the Territorial registrar an account of fees due for recording certificates of birth and death during the preceding calendar month, which account shall be audited by the Territorial registrar, and if approved by him shall be paid from the funds of the Territory.

SEC. 2. That chapter 35 of Alaska Session Laws of 1913 shall hereby be enacted in all particulars except as amended by this act.

**Births, Deaths, and Marriages—Registration of. (Reg. Registrar of Vital Statistics, Aug. 28, 1915.)**

SECTION 1. *Deaths.*—REGULATION 1. *Certificate of death.*—For every death occurring in the Territory there must be filed at once with the United States commissioner of the district in which the death occurred a certificate of death on Form 2 provided for that purpose, which can be obtained from any United States commissioner upon application.

The personal and statistical particulars shall be authenticated by the signature of the informer, who may be any competent person acquainted with the facts.

The statement of facts relating to the disposition of the body shall be signed by the undertaker or person acting as such.

The medical certificate shall be made and signed by the physician, if any, last in attendance of the deceased, who shall specify the time in attendance, the time he last saw the deceased alive, the hour of the day at which death occurred; and he shall further state the cause of death, so as to show the course of disease or sequence of causes resulting in death, giving the primary and immediate causes, and also the contributory causes, if any, and the duration of each. Indefinite and unsatisfactory terms, indicating only symptoms of disease or conditions resulting from disease, will not be held as sufficient for issuing a burial or removal permit.

Any certificate containing indefinite and unsatisfactory terms the United States commissioners will return to the physician or undertaker for correction or completion.

REG. 2. *Failure to file certificate a misdemeanor.*—Under the law the physician, nurse, or other person attending or assisting in the last illness of a deceased person, or the undertaker, sexton, or other person having charge or in any way assisting or directing the burial of any corpse, are required to file a certificate of death with the United States commissioner of the precinct in which the death occurred. It is a misdemeanor for undertakers, sextons, or other persons to inter or remove a body of a deceased person before a certificate containing the cause of death signed by the attending physician is filed and a permit issued by the commissioner for interment or removal; and commissioners are forbidden under the law to issue a burial or removal permit until such completed certificate is filed.

REG. 3. *Deaths occurring without medical attendance.*—In case the dead body of a human being is found or a person is killed within the Territory, or dies without medical attendance, it is the duty, under the law, of any person having such knowledge at once to make a full report thereof to the United States commissioner of the district wherein the death occurred; and if the circumstances are such that the said United States commissioner does not deem it necessary to hold an inquest over the remains, it is the duty of any person upon request from the commissioner to make out and furnish him a certificate of death as required by regulation 1 of this section; and it is a misdemeanor for any person refusing to do so.

In cases where inquests are held by United States commissioners over the remains of any dead person, as required by chapter 37, Code of Criminal Procedure of the Compiled Laws of Alaska, he or the physician he summons shall make the proper certification of death on the certificate required to be filed.

In case any person mysteriously disappears or leaves one locality to go to another within the Territory, and should fail within a reasonable time to reach the locality for which he or she started, it is the duty of anyone having knowledge of such disappearance to notify in writing the commissioner of the district from which such person started, stating all the known circumstances. For failure or neglect to do so it is a misdemeanor under section 6 of chapter 35.

REG. 4. *Commissioner's duties relative to death certificate.*—Upon receipt by a United States commissioner of a certificate of death in which all the items are carefully and correctly answered, he shall number the certificate, beginning with No. 1 for the first death certificate, and number the succeeding certificates consecutively (see blank space for registered number immediately above line for commissioner's signature). He shall fill in the correct name of the precinct, town, or village on the certificate if not already done. He shall then write on the certificate the date of filing and recording, the book number of certificates of deaths and page, and his signature and address.

If the interment is to be made in his registration district, he shall issue a burial permit for the body of the person given in the certificate, on Form 2a, containing the information required by section 3 (regulation 3) of part 1 of this bulletin; and make an entry on the stub attached to the said form, which stub shall be preserved in his office in the same manner that other public records are required to be kept by him. The permit shall then be delivered to the undertaker or person acting as undertaker. All permits will be numbered by the United States commissioner, beginning with No. 1 for the first one issued, and consecutively thereafter.

If the body is to be transported, a transit permit and label, for attaching to the coffin or casket, must be issued on form 2b in accordance with section 2 (regulation 1) of part 1 of this bulletin, for all bodies of dead persons that are to be transported, and common carriers are prohibited from transporting or commissioners issuing transit permits, unless the body has been prepared for transportation by a licensed embalmer (see regulation 10 of the said section 2). A duplicate of the transit permit should be retained by the United States commissioner for future reference.

Commissioners should see that the permits are issued for all burials or removals and should report to the registrar any person interring or removing the dead body of a human being without having first secured a permit.

In cases of deaths occurring without medical attendance commissioners should exercise discretion as to whether an inquest should be held over the remains before issuing a burial, removal, or transit permit.

The United States commissioners are required on or before the 10th day of each month to forward to the Territorial registrar of vital statistics the certificates of deaths filed with him during the preceding calendar month.

REG. 5. *Commissioner's fees in connection with death certificate, how paid.*—The fees of the United States commissioners for recording certificate of death are paid by the Territory in accounts rendered quarterly by the United States commissioner to the Territorial registrar of vital statistics.

SECTION 2. *Births.*—REGULATION 1. *Certificate of birth.*—For every birth that occurs within the Territory, whether born alive or stillborn, there must be filed within 10 days thereafter with the United States commissioner of the district in which the birth occurred a certificate of birth on Form 1, provided for that purpose, which can be obtained from any United States commissioner upon request. Every item of information must be furnished and the commissioner must see that it is complete before it is filed and recorded by him.

Where the child is unnamed at the time the certificate is filed the commissioner should make a note to that effect, as it is an essential item of the certificate. If the name is not reported within a reasonable time thereafter, he should call upon the person filing the certificate for that information and make a supplemental report to

the Territorial registrar of vital statistics, to obviate the necessity of the registrar calling upon the said commissioner for such additional report.

**REG. 2. *Who must file certificate of birth.***—It is the duty of the physician or midwife to file a certificate of birth, properly and completely filled out, giving all the particulars required thereon; and if there be no attending physician or midwife, then it is the duty of the father or mother of the child, householder, or owner of the premises, manager or superintendent of public or private institution in which the birth occurred, captain of vessel, or other competent person having knowledge thereof to file said certificate within 10 days after the birth occurred.

**REG. 3. *Commissioner's duties relative to birth certificate.***—Upon receipt by the United States commissioner of a certificate of birth, if the specific items of information are not answered in every instance, and he believes that the answers are obtainable, he shall immediately forward to the person making the report a notice stating that such report is incomplete and can not be recorded as a certificate of birth under the laws of the Territory. If the person responsible for such report shall then fail to make a proper report within a reasonable time after receipt of such notice, it will be the duty of the commissioner to file with the Territorial registrar of vital statistics a complaint against such person for action thereon, under chapter 35 of the 1913 Session Laws.

If the certificate when filed is correctly and completely made out, the commissioner shall record the same in the book provided for that purpose in the same manner that certificates of death are recorded (regulation 4, section 1) and shall number the certificate, beginning with number 1 for the first birth certificate and number the succeeding certificates consecutively in the blank space for the registered number immediately above line for commissioner's signature.

The United States commissioners shall on or before the 10th day of each month forward to the Territorial registrar of vital statistics the certificates of birth filed with him during the preceding calendar month.

**REG. 4. *Commissioner's fees in connection with birth certificate, how paid.***—The fees of the United States commissioner for recording certificate of birth are paid by the Territory in accounts rendered quarterly by the United States commissioner to the Territorial registrar of vital statistics.

**SECTION 3. *Marriages.***—**REGULATION 1. *Certificate of marriage.***—Every person performing a marriage in the Territory of Alaska is required to fill out three marriage certificates, as follows:

(a) The original certificate of marriage must be made on Form 3 and is required by law to be filed within 30 days after the marriage is performed with the United States commissioner of the district in which the marriage took place. This certificate must be signed by the person performing the marriage and bear his clerical or official title. It is a misdemeanor for the person performing the marriage to neglect or fail to file with the United States commissioner the original certificate of marriage.

(b) The second and third copies are to be made on Form 3a, which is the same as the body of Form 3 (the original certificate). The duplicate and triplicate copies are required by law to be given the contracting parties by the person performing the marriage.

The above blanks can be obtained from any United States commissioner upon request.

**REG. 2. *Commissioner's fees in connection with marriage certificate, how paid.***—The Territory does not pay the commissioner's fees in connection with certificates of marriages. As the person who performs the marriage must file the original certificate with the United States commissioner, if he fails or neglects to collect the necessary fees for filing the certificate such person is required by chapter 44 of the 1915 Session Laws to pay said filing fees out of his own money. The fees prescribed by the attorney general for this and like services are as follows:



	Fees in—	
	First division.	Second, third, and fourth divisions.
For filing and recording certificate of marriage.....	\$1.00	\$1.50
For indexing the names of the contracting parties (each index).....	.10	.15

REG. 3. *Commissioner's duties in connection with marriage certificate.*—The commissioner's duties with respect to marriage certificates are similar to those relative to death (regulation 4, section 1) and birth (regulation 3, section 2) certificates. Every certificate must be numbered, beginning with number 1 for the first marriage certificate and numbered consecutively thereafter in the blank space for registered number immediately above line for commissioner's signature, after which the same are to be recorded in a book provided for that purpose.

The United States commissioners are required, on or before the tenth day of each month, to forward to the Territorial registrar of vital statistics the certificates of marriage filed with him during the preceding calendar month.

As a part of the United States commissioner's duties, he should see that the laws as enumerated in this bulletin are strictly enforced, and should inform the public at every opportunity of the requirement of the law. Any violations should be promptly reported to the Territorial registrar of vital statistics for attention.

All records and blanks pertaining to the registration of vital statistics under this bulletin to be kept by United States commissioners and those that may hereafter come into their possession are public records of the Territory of Alaska, for which the commissioners are personally responsible under the Compiled Laws of Alaska to preserve and safely keep. Under section 1778 they are required to be delivered by the commissioner to his successor in office, or, if no successor is appointed or the district is abolished, to be delivered to the clerk of the district court of his division or to the Territorial registrar of vital statistics, Juneau, for safe-keeping.

#### **Embalmers—Examination and Licensing—Regulations Governing. Burial—Transportation of Dead Bodies. (Chap. 47, Act Apr. 28, 1915.)**

SECTION 1. That the secretary of the Territory of Alaska, as ex officio registrar of vital statistics, be and he hereby is authorized and directed to provide rules and regulations for the examination and issuance of licenses to persons qualified to act as embalmers in the Territory of Alaska, and also to issue licenses in the Territory of Alaska to persons duly licensed under the laws of any State of the United States to act as embalmers.

SEC. 2. That the secretary of the Territory of Alaska, as ex officio registrar of vital statistics, shall also provide rules and regulations by which dead bodies may be shipped from the Territory of Alaska, and to issue regular shipping blanks to persons licensed to act as embalmers in the Territory of Alaska.

#### **Embalming—Practice of—Burial—Transportation of Dead Bodies—Communicable Diseases. (Reg. Registrar of Vital Statistics, Aug. 28, 1915.)**

SECTION 1. *License.*—REGULATION 1. *Must be licensed embalmer.*—Every person engaged or hereafter intending to engage in the occupation of embalming in the Territory of Alaska shall first obtain a license as herein provided from the registrar of vital statistics to practice embalming within the Territory.

**REG. 2. Definition of practicing embalming.**—Preparation of the body of any deceased person for the purpose of preserving the same for more than 30 hours after death, or preparing the remains of any deceased person for shipment by boat, railway, or other public conveyance between points within the Territory of Alaska or between any points in the Territory of Alaska and any points without said Territory, shall be construed as practicing the occupation of embalming within the meaning of these regulations.

**REG. 3. How to qualify as an embalmer.**—Every person who may wish to qualify as competent to practice embalming in the Territory shall first file with the Territorial registrar of vital statistics an affidavit setting forth the name of the applicant in full; age; place of residence; certificate of good moral character signed by three persons, one of whom must be a physician; length of time during which and the place where applicant has practiced such occupation, or that the applicant is a graduate of a recognized school of embalming; and such affidavit shall be accompanied by a fee of \$1, to be covered into the treasury of Alaska to defray the cost of issuing such license and the expenses incident thereto. A license will thereupon be issued, if such affidavit is found proper, entitling said person to practice embalming until December 31 of the year in which issued, which must be renewed annually by application and payment of the fee provided herein. Anyone continuing to engage in such occupation after his license has expired and not been renewed, will be deemed to be practicing embalming in the Territory without a license.

**REG. 4. Licenses issued by other States and Territories.**—Licenses issued to embalmers under the authority of the laws and regulations of any other State or Territory having similar requirements to those existing in the Territory shall be recognized as sufficient to issue a license to the applicant to practice embalming within the Territory of Alaska, as provided in regulation 3 above.

**REG. 5. License may be revoked.**—The registrar of vital statistics reserves the right to revoke any license granted by him if the holder thereof has been guilty of drunkenness or has been convicted of crime or has obtained said license by any false or fraudulent representation, or has been guilty of immoral, unprofessional, or dishonorable conduct, or of wilful or repeated violation of the rules and regulations contained in this bulletin, or of doing work in an unsanitary or filthy manner: *Provided*, That before any certificate or license shall be revoked the holder thereof shall have notice in writing of the charge or charges against him and shall at a time specified in said notice be given ample opportunity to refute such charges and defend himself.

**SECTION 2. Preparation of dead for transportation and burial.**—**REGULATION 1. Transportation permits required to ship bodies.**—A transit permit and transit label on Form 2b, which includes a licensed embalmer's certificate, issued by a United States commissioner, shall be required for each dead body transported by common carrier. It is a misdemeanor under chapter 35 of the 1913 Session Laws to transport, inter, or remove bodies before a certificate of death is filed, and United States commissioners will in no case issue a transit, burial, or removal permit until such certificate has been filed with him. Blank certificates of death can be obtained from any United States commissioner upon application.

The transit permit (Form 2b) will be numbered consecutively by United States commissioners beginning with number 1 for the first one issued, and shall state the name, sex, color, and age of the deceased, the cause and date of death, a statement that death certificate has been filed, the initial and terminal points, the date and route of shipment, a statement as to the method of preparation of the body, the date of issuance, the signature of the embalmer, and the signature and official title of the United States commissioner issuing the permit. Commissioners should keep a copy of all transit permits issued by them for future reference.

The transit label shall state the place and date of death, the name of the deceased, the name of the escort or consignee, the initial and terminal points, the date of issuance,

the signature and official title of the United States commissioner issuing the permit, and shall be attached to the outer case.

REG. 2. *Bodies dead of contagious diseases.*—The transportation of bodies dead of smallpox, plague, Asiatic cholera, typhus fever, diphtheria (membranous croup, diphtheric sore throat), scarlet fever (scarlet rash or scarlatina), shall be permitted only under the following conditions:

The body shall be thoroughly embalmed with an approved disinfectant fluid, all orifices shall be closed with absorbent cotton, the body shall be washed with the disinfectant fluid, enveloped in a sheet saturated with same, and placed at once in the coffin or casket, which shall be immediately closed, and the coffin or casket or the outside case containing the same shall be metal or metal lined and hermetically and permanently sealed.

REG. 3. *Bodies dead of other diseases.*—The transportation of bodies dead of any disease other than those mentioned in regulation 2 shall be permitted under the following conditions:

(a) When the destination can be reached within 36 hours after death, the coffin or casket shall be incased in a strong outer box made of good sound lumber not less than seven-eighths of an inch thick; all joints must be tongued and grooved, top put on with cleats and crosspieces, all put securely together and be tightly closed with white lead, asphalt varnish, or paraffin paint, and a rubber gasket placed on the upper edge between the lid and the box.

(b) When the destination can not be reached within 36 hours after death, the body shall be thoroughly embalmed and the coffin or casket placed in an outside case constructed as provided in paragraph (a).

REG. 4. *Transportation of disinterred bodies.*—No disinterred body dead from any disease or cause shall be transported by common carrier unless approved by the health authorities or the United States commissioner having jurisdiction at the place of disinterment, and transit permit and transit label will be required as provided in regulation 1.

The disinterment and transportation of bodies dead of diseases mentioned in regulation 2 shall not be allowed except by special permission of the health authorities or United States commissioner, at both place of disinterment and point of destination.

All disinterred remains shall be inclosed in metal or metal-lined boxes and hermetically sealed: *Provided*, That bodies in a receiving vault, when prepared by licensed embalmers, shall not be regarded as disinterred bodies until after the expiration of 30 days.

REG. 5. *When outside case may be omitted.*—The outside case may be omitted when the coffin or casket is transported in hearse or undertaker's wagon.

REG. 6. *Handles on cases.*—Every outside case shall bear at least four handles and when over 5 feet 6 inches in length shall bear six handles.

REG. 7. *Disinfectant fluid to be used.*—The term "approved disinfectant fluid," as used in these rules, means an embalming fluid that has been submitted to a bacteriological test, or a fluid that contains not less than 5 per cent of formaldehyde gas, or as described in Bulletin No. 42 of the Public Health Service, entitled "Disinfectants, their use and application in the prevention of communicable diseases"; the term "embalming," as employed in these rules and regulations, shall require the injection by licensed embalmers of not less than 10 per cent of the body weight, injected arterially in addition to cavity injection, and 12 hours shall elapse between the time of embalming and the shipment of the body. A 5 per cent solution of carbolic acid, a  $\frac{1}{10}$  solution of corrosive sublimate, or 14 per cent of a 40 per cent solution of formaldehyde are approved as disinfectants for external washing of bodies when required by these rules. Other prepared disinfectants of equal germicidal action may also be used. No embalming fluid containing arsenic shall be used in Alaska for embalming dead human beings for burial.

REG. 8. *Transportation from one district to another.*—Any corpse shipped originally from one registration district within the Territory of Alaska, accompanied by a properly executed transit permit, to any other registration district within the Territory, may be transhipped by surrendering the original transit permit to the local United States commissioner and receiving in exchange a new transit permit, unless said body has been held over 30 days or has been interred, in which case proceed under regulation 4.

The only case in which transit permits will not be required for bodies is when the transportation is from one registration district into another nearby or adjacent district by hearse or undertaker's wagon, but such bodies must be accompanied by a removal permit from the United States commissioner of the district in which the death occurred as required in section 3 of these regulations.

If corpse is routed to point of final destination on original transit permit and is accompanied by ticket which allows stop-over privileges, corpse may be held for funeral or for any other purpose temporarily at a stop-over point without any additional transit permit being required.

REG. 9. *Transit permit as authority for interment.*—The transit permit shall be accepted as authority for interment or cremation anywhere within the Territory of Alaska by sextons or crematory officials, and shall be surrendered to them by the person in charge of corpse at point of interment, in the same manner as "burial-removal" permits.

REG. 10. *Bodies for shipment must be prepared by licensed embalmers.*—Transportation of any body by common carrier in the Territory of Alaska is prohibited unless the body has been prepared for transportation by a licensed embalmer holding a license as such, issued by the territorial registrar of vital statistics.

SECTION 3. *Burial or removal.*—REGULATION 1. *Dead bodies must be buried within specified time.*—The dead body of any human being must not remain unburied for a period longer than four days unless the same is to be shipped, which shipment must begin within the four-day period if transportation facilities do not prevent, and the body must be prepared in the manner prescribed in section 2 of these regulations: *Provided*, That where necessities arise the body may remain unburied for a longer period in cases of diseases other than contagious, by securing permission from the health authorities or United States commissioner having jurisdiction, but in such case the body must be prepared as required in regulation 3 (paragraph *b*) of section 2.

REG. 2. *Permits must be issued for all burials.*—It is a misdemeanor under chapter 35 of the 1913 Session Laws, for any person to inter, deposit in a vault, grave, or tomb, cremate, or otherwise dispose of, or disinter or remove the body or remains of any person whose death occurs in this Territory or any body that is found, before first filing a satisfactory certificate of death, and obtaining from the United States commissioner of the district in which the death occurred or the body was found, a permit for the burial, disinterment, or removal of such body; and United States commissioners are forbidden under the law to issue a burial or removal permit until such complete and satisfactory certificate of death has been filed. Blank certificates can be obtained from any commissioner upon application: *Provided*, That any licensed embalmer of this Territory, after a satisfactory death certificate has been filed may temporarily remove any body of a person dying in the Territory from the place where the death occurred outside of any incorporated town to the nearest incorporated town or his place of business for the purpose of preparing the same for burial, without having first obtained a removal permit, but in such case the embalmer shall file with the United States commissioner a certificate in writing of such temporary removal, signed by the embalmer; but this permission to temporarily remove will not confer any rights upon such embalmer to inter or remove the body after preparation for burial without having first secured the necessary permit mentioned above.

REG. 3. *Contents of burial permit.*—Burial or removal permits (Form 2a) will be issued by United States commissioners for all deaths occurring in the Territory, and shall contain a statement by that officer over his signature that a satisfactory certificate of death having been filed with him as required by law, permission is granted to inter, remove, or otherwise dispose of the deceased, stating the name, age, sex, cause of death, and other necessary details upon the Form 2a provided by the Territorial registrar of vital statistics. The permit will be numbered consecutively, beginning with number 1 for the first one issued. In case of transportation of the deceased, a transit permit is required as provided by section 2 above.

REG. 4. *Disinterment permits.*—The permits for disinterring bodies and removing to a near-by district for burial, shall be on the same form as the burial or removal permit, which shall state the date of original burial and the place of intended removal and burial in addition to the information contained in regulation 3 above. When the body is to be transported, a transit is required (regulation 1, section 2) and the procedure under regulation 4 of section 2 must be followed.

REG. 5. *When permits must be refused.*—If upon examination by the United States commissioner of the death certificate which is required to be filed before a permit can be issued, the answers to any questions are found to be indefinite and unsatisfactory and the circumstances of the case would make it appear that the questions can be more fully and definitely answered, no burial or removal permit shall be issued until such information has been properly and fully supplied.

REG. 6. *Burial permits to be delivered to sexton or other person.*—The undertaker shall deliver the burial permit to the sexton, or person in charge of the place of burial, before interring the body; or shall attach the transit permit containing the local United States commissioner's removal permit, to the box containing the corpse, when shipped by any transportation company, and said permit shall accompany the corpse to its destination: *Provided*, That when a body is removed from one registration district to another for interment, cremation or other permanent disposition not requiring the use of common carrier or the issuance of a transit permit, the commissioner's removal permit from the district where the death occurred may be accepted as authority for burial in the other district. If there be no sexton or other person in charge of the burial grounds then the person acting as undertaker shall deliver the burial permit to the commissioner of the district in which the body was buried within 10 days from the date of burial.

Undertakers are responsible for the strict observance of the regulations relative to the burial of bodies dead of communicable diseases (see section 4 hereof).

REG. 7. *Duties of sexton or others in charge.*—No person in charge of any premises in which bodies of deceased persons are interred, cremated or otherwise permanently disposed of, shall permit the interment, cremation or other disposition of any body upon such premises unless it is accompanied by a burial, removal, or transit permit as hereinabove provided. It shall be the duty of the person in charge of any such premises to—in case of the interment, cremation, or other disposition of the body therein—indorse upon the permit the date and character of such disposition, over his signature; to preserve all permits so indorsed in his possession or possession of the cemetery for future reference; and to keep a record of all bodies disposed of on the premises under his charge, stating in each case the name of the deceased person, if known, the place of death, the date of burial or other disposition, and the name and address of the undertaker, which record shall at all times be open to public inspection; and it shall be the duty of every undertaker, or person acting as such, when burying a body in a cemetery or burial grounds having no person in charge, to sign the burial, removal, or transit permit, giving the date of burial, write across the face of the permit the words "No person in charge," and file the permit within 10 days with the commissioner of the district in which the cemetery is located.

REG. 8. *Imported bodies.*—When bodies are brought into any registration district by common carrier, if from points without the Territory, they must be accompanied by a transit and removal permit, issued in conformity with the laws and health regulations of the State in which death occurred. This permit must be delivered to the United States commissioner of the district in which the body is to be interred, who will issue a burial permit in the same way as if death had occurred in his district and make out a death certificate from the transit permit, writing across the face of such certificate the words: "Imported case."

SECTION 4. *Communicable diseases; preparation for burial and conducting funerals.*—

REGULATION 1. *Licensed embalmer to prepare body.*—A licensed embalmer shall prepare a body for burial dead from a disease requiring quarantine, in the following manner:

If the body be removed from the room in which death occurred to another room in the same house, in order to enable the embalmer to better carry out his duties, both rooms must be thoroughly scrubbed and woodwork, furniture, etc., mopped in addition to the general fumigation of the house.

REG. 2. *Precaution taken by embalmer.*—The embalmer before entering a room containing a corpse dead from a disease requiring quarantine, shall cover himself from head to foot in a cloth or rubber gown, and shall cover his head with a snugly fitting cap, and wherever possible shall wear rubber gloves. Upon leaving the room the outer garments, cap, and gloves shall all be wrapped in a tight covering or placed in a tightly closed bag, and the entire contents shall immediately thereafter be disinfected by boiling.

REG. 3. *Coffin or casket.*—The coffin or casket used to convey the corpse shall not be taken into the room containing the corpse and removed therefrom unless the room previously or the room and coffin together, shall have undergone thorough disinfection, under the direction of the health officer.

REG. 4. *Instruments.*—All knives, razors, trocars, needles, syringes, and all other instruments employed in the process of embalming, together with all vessels, sponges, cooling boards or other apparatus taken from the room during preparation of a corpse dead from a contagious or infectious disease, shall be thoroughly disinfected by boiling or immersion in a strong antiseptic solution immediately thereafter.

REG. 5. *Fluids removed from body.*—All fluids or other matter removed from such bodies during the embalming process shall be either burned or mixed with equal volumes of a disinfectant solution of the character prescribed in regulation 7 of section 2 above, for at least three hours before final distribution.

REG. 6. *Other diseases than those requiring quarantine.*—In cases of death from diseases other than those requiring quarantine, the same procedure as in deaths from quarantinable diseases shall be carried out in all cases dead from smallpox, measles, glanders, anthrax, Rocky Mountain tick fever, leprosy, epidemic cerebrospinal meningitis, and infantile paralysis.

In cases of death from tuberculosis, typhoid fever, puerperal fever, erysipelas, or whooping cough, careful disinfection of the hands, instruments, and fluids and other matters removed from the body shall be carried out, but not the other restrictions relative to the preparation of such bodies.

REG. 7. *Body may be taken from house under certain conditions.*—Any licensed embalmer in lieu of preparing the body for burial at the place of death may wrap such corpse completely in a sheet soaked with a strong disinfectant, and place the body so wrapped in a wicker case and remove it to his place of business for the process of embalming: *Provided, however,* That if such be done the same precaution as to disinfection shall be carried out at the undertaker's parlors as are specified for the preparation of such body at the house where death occurred, and that the right to remove said body shall not be held to confer the right to conduct a public funeral.

REG. 8. *What funerals must be private.*—In case of funerals from houses that still continue under quarantine, members of the immediate family shall be allowed to accompany the corpse to the cemetery or crematory and to return to their premises under supervision of the local health officer or physician having charge of the quarantine.

REG. 9. *Funerals to be supervised.*—The health officer shall supervise the conducting of funerals in all cases of acute infectious diseases. If a funeral be held at the undertaker's parlors in the case of a person dead from any of the diseases enumerated above, except typhoid fever, tuberculosis, puerperal fever, erysipelas, or whooping cough, the local health officer shall supervise the conducting of such funeral services and the premises must be thoroughly disinfected immediately thereafter.

REG. 10. *Depth at which bodies are to be buried.*—Hereafter all deceased human bodies that are disposed of by earth burial in the Territory of Alaska must be buried in the ground at a depth of at least 3 feet.

## ARIZONA.

### Cold-Storage Eggs—Sale of. (Chap. 23, Act Mar. 9, 1915.)

SECTION 1. Every person, firm, company, or corporation who sells or offers for sale any eggs that have been sold [sic] in cold storage for a longer period than three months shall before so doing, cause to be stamped, marked, or branded upon all sides of each receptacle holding and containing the same in black-face letters 2 inches in length the period of time during which the same have been in cold storage.

SEC. 2. Every person, firm, company, or corporation selling or offering for sale any eggs that have been in cold storage for a longer period than three months shall display in a conspicuous place in his or their salesroom a sign bearing the words "cold-storage eggs sold here" in black-faced letters not less than 6 inches in length upon a white ground.

SEC. 3. For the purposes of this act the words "person, firm, company, or corporation" shall include wholesalers, retailers, jobbers, and every place where eggs that have been in cold storage for a longer period than three months are sold or offered for sale.

SEC. 4. Every person, firm, company, or corporation who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished as provided in misdemeanor cases.

### Births and Deaths—Registration of—Local Registrars. (Chap. 9, Act Feb. 26, 1915.)

SECTION 1. That paragraph 4408 of title 41, chapter 14, of the revised statutes of Arizona, 1913, Civil Code, be and the same is hereby amended to read as follows:

SEC. 2. The secretary of each county board of health in the State shall be county registrar of vital statistics for that county, and within 30 days after the taking effect of this chapter, or as soon thereafter as possible, each county board of health shall appoint a local registrar of vital statistics who shall be a notary public, or justice of the peace, for each registration district in that county, and the county registrar shall immediately report the names and addresses of such local registrars to the State registrar of vital statistics. The term of office of local registrars appointed by said boards shall be for two years, beginning with the first day of January of the year in which this chapter shall take effect, and their successors shall be appointed at least 10 days before the expiration of their terms of office.

Any local registrar appointed by said county board who fails or neglects to discharge efficiently the duties of his office as laid down in this chapter, or who fails to make prompt and complete returns of births and deaths as required thereby, shall be forthwith removed from his office by said county board of health, and his successor appointed, in addition to any other penalties that may be imposed, under other sections of this chapter, for failure or neglect to perform his duty.

Each local registrar appointed by said county board shall immediately upon his acceptance of appointment as such, appoint a deputy whose duty it shall be to act in his stead in case of absence, illness, or disability, who shall in writing accept such appointment, and who shall be subject to all rules and regulations governing the action of local registrars. And when it may appear necessary for the convenience of the people in any rural district, the local registrar is hereby authorized, with the approval of the county registrar, to appoint one or more suitable persons to act as sub-registrars, who shall be authorized to receive certificates and to issue burial or removal permits in and for such portions of the district as may be designated, and each sub-



registrar shall note, over his signature, the date on which each certificate was filed, and shall forward all certificates to the local registrar of the district within five days, and in all cases before the third day of the following month: *Provided*, That all sub-registrars shall be subject to the supervision and control of the county registrar, and may be by him removed for neglect or failure to perform their duties in accordance with the provisions of this chapter or the rules and regulations of the State registrar, and they shall be liable to the same penalties for neglect of duties as the local registrar.

Each local registrar shall be entitled to be paid the sum of 25 cents for each birth and each death certificate properly and completely made out and registered with him, and correctly copied and promptly returned by him to the county registrar as required by this act. And in case no births or deaths were registered during any month, the local registrar shall be entitled to be paid the sum of 25 cents for each report to that effect promptly made in accordance with this act. All amounts payable to registrars under provisions of this section shall be paid by the treasurer of the county in which the registration districts are located, upon certification by the State registrar. And the State registrar shall annually certify to the treasurers of the several counties the number of births and deaths registered, with the names of the local registrars and the amounts due each at the rates fixed herein.

## **ARKANSAS.**

### **Domestic Animals—Disposal of Dead Bodies. (Act No. 218, Mar. 23, 1915.)**

SECTION 1. That after the passage of this act when any hog shall die from disease, or any other cause whatsoever, it shall be the duty of any person or persons owning or having possession of or exercising control over same to immediately burn the carcass of said animal.

SEC. 2. That when any horse, mule, jennie, cow, sheep, goat, or any other animal except hogs shall die from disease, or from any other cause whatsoever, it shall be the duty of any person or persons owning or having possession or exercising control over same to immediately burn, or bury at a depth of not less than 2 feet under the surface of the earth, the carcass of said animal.

SEC. 3. That any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than \$1 nor more than \$10. That any citizen may bring said action in the name of the State of Arkansas, and no bond for cost shall be required.

## CALIFORNIA.

### Ophthalmia Neonatorum—Notification of Cases—Treatment and Prevention. (Chap. 724, Act June 11, 1915.)

SECTION 1. Any condition of the eye or eyes of any infant in which there is any inflammation, swelling, or redness in either one or both of eyes of any of such infant, either apart from or together with any unnatural discharge from the eye or eyes of any such infant, at any time within two weeks after its birth, shall, independent of the nature of the infection, for the purpose of this act, be called ophthalmia neonatorum.

SEC. 2. It shall be the duty of any physician, surgeon, obstetrician, midwife, nurse, maternity home or hospital of any nature, parent, relative, and any person or persons attendant upon or assisting in any way whatsoever either the mother or child, or both, at childbirth, in all cases where such child shall develop within two weeks after its birth ophthalmia neonatorum, and such person shall know the same to exist, to report the case within 24 hours after knowledge of the same, in such form as the State board of health shall direct, to the local health officer of the county or municipality within which the mother of any such infant may reside.

SEC. 3. It shall be the duty of the local health officer:

1. To investigate each case as shall be filed with him in pursuance with this act, and all other such cases as may come to his attention.

2. To report all cases of ophthalmia neonatorum coming to his knowledge, and the result of all such investigations as he shall make to the State board of health, in such form as said board shall direct.

3. To conform to such rules and regulations as the State board of health shall promulgate for the purpose of carrying out the provisions of this act.

SEC. 4. It shall be the duty of the State board of health:

1. To enforce the provisions of this act.

2. To promulgate such rules and regulations as the State board of health may deem necessary to properly carry out the provisions hereof.

3. To provide for the gratuitous distribution of a scientific prophylactic for ophthalmia neonatorum, together with proper directions for the use and administration thereof, to all physicians, midwives, and such other persons as may be lawfully engaged in the practice of obstetrics or assisting at childbirths.

4. To print and publish such further advice and information concerning the dangers of ophthalmia neonatorum and the necessity for prompt and effective treatment thereof as said board may deem necessary.

5. To furnish without cost copies of this law to all physicians, midwives, and such other persons as may be lawfully engaged in the practice of obstetrics or assisting at childbirths.

6. To keep a proper record of any and all cases of ophthalmia neonatorum as shall be filed in their office in pursuance with this law, and as may come to their attention in any way, and to constitute such records a part of the biennial report to the governor and the legislature.

7. To report any and all violations of this act as may come to their attention to the district attorney of the district wherein any violation of any provision of this act may have been committed, for the purpose of prosecution.

SEC. 5. It shall be the duty of all maternity homes, hospitals, and similar institutions wherein childbirths shall occur to keep a record of all cases of ophthalmia neonatorum occurring or discovered therein. Such records shall be in the form and contain the matters which the State board of health shall prescribe.

SEC. 6. The failure of any person mentioned in section 2 hereof to report, or the failure of any maternity home, hospital, or similar institution, to record any and all cases of ophthalmia neonatorum, as herein directed, or the failure or refusal of any person or institution, herein mentioned, to obey any rule or regulation adopted by the State board of health under this act, shall constitute a misdemeanor, and upon conviction thereof shall be fined, for the first offense not to exceed \$50; for a second offense not to exceed \$100; and for a third offense, and thereafter not to exceed \$200 for each violation; and after the third conviction, if the person be a physician, midwife, or other person professionally employed, such conviction shall be a sufficient cause for the revocation of the license of such person by the board which granted the same. One-half of all fines collected hereunder shall go to the county wherein the prosecution was had, and the remaining one-half thereof shall go into the State treasury and constitute a special fund to be expended by the State board of health for the purposes of carrying out the provisions of this act. Any case of ophthalmia neonatorum, or the resultant blindness therefrom, upon which the accused may have been in attendance as hereinbefore set forth, shall be prima facie evidence of knowledge of such case by the accused.

SEC. 7. Chapter 14, statutes of 1897, entitled "An act to regulate medical practice, to prevent blindness in infants," approved February 17, 1897, and all other acts and parts of acts in conflict herewith, are hereby repealed.

**Malaria—Notification of Cases—Prevention and Control. (Reg. Bd. of H., Dec. 4, 1915.)**

**RULE 1. Notification.**—Any person in attendance on a case of malaria, or a case suspected of being malaria, shall report the case within 12 hours to the local health authority, who shall in turn report at least weekly, on the prescribed form, to the secretary of the State board of health all cases so reported to him. In the absence of local rules permitting notification by telephone, the report to the local health authority shall be in writing.

**RULE 2. Diagnosis.**—The local health authority may require the submission of specimens of blood from cases of malaria, or cases suspected of being malaria, for the purpose of examination by a State or municipal laboratory. It shall be the duty of every physician attending a case of malaria to take samples of blood for examination when required to do so by the local health authority.

**RULE 3. Instructions to household.**—It shall be the duty of the physician in attendance on a person having malaria, or suspected of having malaria, to instruct the members of the household in precautionary measures for preventing the spread of the disease to others through the medium of the mosquito.

**RULE 4. Investigation and measures for control.**—Upon being notified of a case of malaria, or a case suspected of being malaria, the health authority shall make an investigation which shall include an inquiry as to the location where the infection took place and the breeding places from which the mosquitoes responsible for carrying the infection came. He shall take proper legal steps to prevent further infections, and, where possible, secure the abatement of the mosquito-breeding places.

**RULE 5. Malaria carriers.**—Malaria carriers are persons who are free from obvious symptoms but who harbor the malarial organism in their blood and are therefore capable of infecting the anopheles mosquito. They are hereby declared to be a menace to the public health. They should receive systematic treatment and must be kept from exposure to anopheles mosquitoes until complete recovery.

**Diphtheria—Carriers. (Reg. Bd. of H., Sept. 4, 1915.)**

On September 4, 1915, rule 11 of the regulations<sup>1</sup> of the California State Board of Health for the prevention and control of diphtheria was amended to read as follows:

**RULE 11. *Diphtheria carriers.***—Any person who has been free from symptoms of diphtheria for a month or longer and who harbors diphtheria bacilli is a diphtheria carrier and is hereby declared to be a menace to the public health. Any known or suspected diphtheria carrier shall be reported to the local health authority, who shall investigate and report to the State board of health. Pending the receipt of instructions from the State board of health, the local health authority shall isolate or quarantine the carrier if in his judgment the danger to the community necessitates such action. In the event of any known or suspected carrier leaving the jurisdiction of a local health authority, the State board of health shall be notified by the local health authority of the name of the carrier and his destination.

**Communicable Diseases—Appropriation for Prevention, Suppression, and Investigation. (Chap. 337, Act May 18, 1915.)**

**SECTION 1.** The sum of \$50,000 is hereby appropriated, out of any moneys in the State treasury not otherwise appropriated, to be expended by the State board of health, under the direction of the governor, for the prevention of the introduction of Asiatic cholera, bubonic plague, smallpox, or other contagious or infectious disease into this State, and for their investigation and suppression in case of their origin or introduction. The claims for such expenditures must be audited by the board of control, except that when, in the opinion of the governor, an emergency arises which demands or necessitates the immediate use of money for the purposes herein provided, the controller must draw his warrant in the name of the governor without such audit, on account of the sum hereby appropriated, upon the order of the governor, in such sums from time to time, not exceeding \$1,000 at any one time, as he may direct. In cases where sums are so drawn upon the order of the governor, without audit by the board of control, vouchers must be thereafter filed with the controller, showing the manner and the purposes for which such sums have been expended. Such portion of the sum provided by this section as may be deemed advisable by the State board of health and approved by the governor, may be used in accordance with the provisions of this section and section 2 of "An act to prevent the introduction, and provide for the investigation and suppression of contagious or infectious diseases, and appropriating money to be used for such purpose," approved June 7, 1913: *Provided*, That all expenditures connected therewith shall be audited by the board of control and paid in accordance with the provisions of this act.

**SEC. 2.** This act, inasmuch as it provides for an appropriation for the usual current expenses of the State, shall, under the provisions of section 1 of Article IV of the constitution of the State of California, take effect July 1, 1915.

**State Board of Health—Appropriations for the Two Fiscal Years Ending June 30, 1917. (Chap. 393, Act May 19, 1915.)**

**SECTION 1.** The following sums of money are hereby appropriated out of any money in the State treasury not otherwise appropriated for the support of the government of the State of California for the sixty-seventh and sixty-eighth fiscal years: *Provided*, That in all cases in which statutory provision has already been made for salaries or for other regular annual appropriations, the amounts herein appropriated shall be

<sup>1</sup> Reprint No. 279 from the Public Health Reports, p. 1.

deemed to be the same amounts appropriated by such statutes, and not additional thereto:

\* \* \* \* \*

**STATE BOARD OF HEALTH.**

For salary of secretary, State board of health, \$9,000.  
 For salary of assistant secretary, State board of health, \$4,800.  
 For salary of attorney, State board of health, \$6,000.  
 For salary of statistician, State board of health, \$4,800.  
 For salary of deputy statistician, State board of health, \$3,200.  
 For salary of two copyists, State board of health, \$3,600.  
 For salary of clerk, State board of health, \$3,200.  
 For salary of director pure food and drug laboratory, State board of health, \$6,000.  
 For salary of assistant director pure food and drug laboratory, State board of health, \$3,000.  
 For salary of stenographer, State board of health, \$2,400.  
 For traveling and contingent expenses, State board of health, \$35,400.  
 For support pure food and drug laboratory, State board of health, \$58,000.  
 For support State hygienic laboratory, State board of health, \$36,350.  
 For purchase, etc., antirabic virus, \$5,000.  
 For printing, etc., State board of health, \$8,000.

\* \* \* \* \*

**Secretary of State Board of Health and Assistant Secretary—Salaries and Duties.**  
 (Chap. 376, Act May 19, 1915.)

**SECTION 1.** Section 2982 of the Political Code is hereby amended to read as follows:

2982. The secretary of the State board of health shall receive an annual salary of \$4,500 and necessary expenses incurred in the performance of his duties. He shall enforce all orders and regulations of the State board of health, and shall vigilantly observe sanitary conditions throughout the State, and take all necessary precautions to protect it in its sanitary relations with other States and countries. He shall keep an accurate record of the proceedings of the State board of health and of his own acts, and shall file a written report of the same at each regular meeting of the board. There shall be an assistant to the secretary of the State board of health, who shall be appointed by and hold office at the pleasure of and perform such duties as shall be prescribed by said board. The assistant to the secretary of the State board of health shall receive an annual salary of \$2,400. The salaries of the secretary and assistant to the secretary shall be paid out of the general fund at the times and in the manner in which State officers are paid.

**State Board of Health—Bureau of Tuberculosis—Establishment and Maintenance—Powers and Duties.** (Chap. 766, Act June 12, 1915.)

**SECTION 1.** The State board of health shall maintain a bureau of tuberculosis for the complete and proper registration of all tuberculous persons within the State; for supervision over all hospitals, dispensaries, sanatoria, farm-colonies and other institutions for tuberculosis, both public and private; for advising officers of the State penal and charitable institutions regarding the proper care of tuberculous inmates, and for such educational and publicity work as may be necessary; for administration of the fund for State aid to cities, counties, cities and counties and groups of counties for the care of patients who are county charges in city, county, or city and county tuberculosis wards or hospitals or in tuberculosis wards and hospitals maintained by any group of counties, and for the performance of such other duties as may be assigned by the said board.

SEC. 2. The State board of health shall appoint a director of the bureau, who shall be duly qualified and trained in public health work, whose salary shall be fixed by the board in an amount not to exceed \$3,000 per annum, and such other employees as may be deemed necessary, and shall fix their compensation. The director and all employees of the bureau shall come within the jurisdiction of the civil-service law. In addition to the administration of the bureau, under the supervision of the State board of health, it shall be the duty of the director, and he is hereby invested with full power, to inspect and investigate, and have access to all records and departments of all institutions, both public and private, where tuberculosis patients are treated. He shall prepare annually for each institution a report of its rating on sanitary construction, enforcement of sanitary measures, adequate provision for medical and nursing attendance, provision for proper food, and such other matters of administration as may be designated. Administration of the fund for the care of patients who are county charges in city, county, and city and county tuberculosis wards and hospitals and the tuberculosis wards and hospitals maintained by any group of counties shall be based upon his reports and under the rules and regulations of the board. The director and other employees of the bureau shall be allowed their actual and necessary traveling expenses incurred in the performance of their duties.

SEC. 3. Every city, county, city and county, or group of counties which establishes and maintains a tuberculosis ward or hospital shall receive from the State the sum of \$3 per week for each person in the active stages of tuberculosis, cared for therein at public expense who is unable to pay for his support and who has no relative legally liable and financially able to pay for his support and who has been a bona fide resident of such city, county, city and county, or group of counties for one year: *Provided*, That the city, county, city and county, or group of counties shall not become entitled to receive such State aid unless the tuberculosis ward or hospital conforms to the regulations of and is approved by the State bureau of tuberculosis. The medical superintendent of each hospital receiving State aid under this act shall render semi-annually to the State bureau of tuberculosis a report under oath showing, for the period covered by the report, (1) the number of patients in the active stages of tuberculosis cared for therein at public expense, unable to pay for their own support and having no relatives legally liable and financially able to pay therefor, and (2) the number of weeks of treatment of each of such patients.

SEC. 4. The sum of \$75,000 is hereby appropriated out of any moneys in the State treasury not otherwise appropriated, to be expended by the State board of health in carrying out the provisions of this act: *Provided, however*, That not more than the sum of \$20,000 shall be available for the purposes of this act other than the State aid herein provided. All claims against this appropriation shall be audited by the State board of control. The State controller is hereby directed to draw his warrants for such sums aggregating the amount of this appropriation and the State treasurer is directed to pay the same.

SEC. 5. An act entitled "An act to provide for the establishment and maintenance of a department of tuberculosis under the direction of the State board of health; defining its powers and duties; and making an appropriation therefor," approved June 13, 1913,<sup>1</sup> is hereby repealed.

**State Board of Health—Department of Sanitary Engineering—Establishment and Maintenance. (Chap. 478, Act May 24, 1915.)**

SECTION 1. The State board of health shall maintain a department of sanitary engineering which shall have charge of such matters and shall have such powers as may from time to time be referred and delegated to it by the State board of health. The board shall appoint a director of the department, who shall be a graduate sanitary engineer,

<sup>1</sup> Reprint No. 264 from the Public Health Reports, p. 63.

whose salary shall be \$4,000 per annum. The State board of health may employ and fix the compensation of other additional professional and clerical assistants and such compensation shall be paid from the funds provided for the maintenance of the department of sanitary engineering. The sum of \$30,000 is hereby appropriated for the purpose of this act. Claims against the fund shall be audited by the State board of health and by the board of control and shall be paid by the State treasurer upon warrants drawn by the State controller.

**Nurses—Examination and Registration—Fees. (Chap. 22, Act Apr. 1, 1915.)**

SECTION 1. Section 2 of an act entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State board of health, and to repeal an act approved March 20, 1905, entitled 'An act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the board of regents of the University of California, and to provide penalties for violation thereof,'" approved June 12, 1913,<sup>1</sup> is hereby amended to read as follows:

"SEC. 2. Examinations as provided for in this act shall be held at least every six months at such times and places as the board shall direct and according to the rules and regulations of said board. Public notice of such examination shall be given by publishing the same at least two weeks prior to the date of each examination in two or more papers of general circulation, and one nursing journal, to be selected by said board; all of said papers and said nursing journal shall be published within the State of California. Upon filing application for examination each applicant shall pay an examination fee of \$10, which shall in no case be returned to the applicant. No further fee shall be required for registration."

SEC. 2. Section 3 of said act is hereby amended to read as follows:

"SEC. 3. Examinations may be conducted by the State board of health or by a special committee of three examiners to be appointed by the board at least 30 days prior to each examination, under such rules and regulations as may be prescribed by said board. If such special committee of examiners be appointed, they shall prepare and submit to the board, at least 10 days prior to the examination, all questions for such examination, which may be approved, rejected, changed, or altered in any manner by and at the discretion of said board. Said examiners shall be paid their necessary traveling expenses and such compensation as shall be fixed by the State board of health. All expenses of conducting said examinations shall be paid from the fund hereinafter mentioned in the manner therein provided. If the examinations be conducted by said examiners, they shall mark all examination papers of applicants and render to the board, within 10 days thereafter, a report of the same in such form as may be prescribed by the board, which may change the grading on any paper. The board shall finally pass or reject all applicants, and its action shall be final and conclusive and not subject to review by any court or other authority. The board shall issue to each successful applicant a certificate provided for in this act."

**Nurses—Examination and Registration—State Board of Health to Establish Department. (Chap. 386, Act May 19, 1915.)**

SECTION 1. Section 1 of an act entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the

<sup>1</sup> Reprint No. 264 from the Public Health Reports, p. 83.



State board of health, and to repeal an act approved March 20, 1905, entitled, 'An act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the board of regents of the University of California, and to provide penalties for violation thereof,' approved June 12, 1913,<sup>1</sup> is hereby amended to read as follows:

"SECTION 1. Within 30 days after this act takes effect the State board of health shall establish and maintain a department of examination and registration of graduate nurses, as hereinafter provided. The State board of health shall appoint a director, whose salary shall be fixed by the board, and said director shall have been graduated from an accredited training school for nurses as defined in this act, and shall be duly registered under the provisions of this act. Said director shall visit and inspect all training schools in this State, subject to the provisions of this act, at such times as may be required by the secretary of the board and shall perform all duties required by this act and such other duties as may be required by the State board of health in order to carry out the objects and provisions of this act. Lists of accredited training schools for nurses and a register of the names of all nurses duly registered under this act shall be prepared and kept by the department. An annual report shall be prepared and filed before January 1 of each year."

SEC. 2. Section 11 of said act is hereby amended to read as follows:

"SEC. 11. Within 10 days after the beginning of each month the secretary of the State board of health shall report to the controller the amount and source of all collections made under the provisions of this act, and at the same time all such amounts shall be paid into the State treasury and shall be placed to the credit of the special fund to be known as the fund for examination and registration of nurses. All amounts paid into this fund shall be held subject to the order of the State board of health, to be used only for the purpose of meeting necessary expenses in the performance of the purposes of and the duties imposed by this act. Claims against the fund shall be audited by the State board of health and by the board of control and shall be paid by the State treasurer upon warrants drawn by the State controller."

**Milk and Milk Products—Definitions—Pasteurization. (Chap. 164, Act May 4, 1915.)**

SECTION 1. Section 5 of an act entitled "An act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter and oleomargarine; to regulate the business of producing, buying, and selling dairy products, oleomargarine, renovated, or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof and appropriating money therefor and to repeal section 17 of an act approved March 4, 1897, entitled 'An act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor,' and to repeal all acts and parts of acts inconsistent with this act," approved April 21, 1911, is hereby amended to read as follows:

"SEC. 5. No person, firm, or corporation shall sell, exchange, or offer or expose, or have in its possession for sale or exchange, any milk, cream, skim milk, ice cream, butter, buttermilk, cheese, or other milk products, as and for pasteurized milk, cream, skim milk, ice cream, butter, buttermilk, cheese, or other milk product, as the case may be, nor use the word 'pasteurize' or any of its derivatives in connection with the sale, designation, advertising, labeling, or billing of any milk, cream, skim milk, ice cream, butter, buttermilk, cheese, or other milk products, unless the same and all products of milk contained therein or used in the manufacture thereof consist exclu-

<sup>1</sup> Reprint No. 264 from the Public Health Reports, p. 83.

sively of milk, skim milk, or cream which has been treated by the process of pasteurization, as defined and regulated in subdivision 15, section 29, of this act.

"It shall be unlawful for any person, firm, or corporation to sell, offer for sale, or to cause or permit to be sold or offered for sale, any butter in prints or packages or otherwise other than by or in terms of pounds and ounces, avoirdupois, or for a greater weight than the true net weight thereof."

SEC. 2. Section 29 of said act, approved April 21, 1911, is hereby amended to read as follows:

"SEC. 29. Milk and the products of milk enumerated in this section shall be deemed adulterated within the meaning of this act if it or they shall not conform to the following definitions and standards:

"(1) Milk is the fresh, clean, lacteal secretion, all parts of which within 48 hours, if raw, and within 60 hours, if pasteurized, last prior to its delivery to the consumer or purchaser shall have been obtained from the udder by the complete milking of one or more healthy cows, properly fed and kept, excluding that obtained within 15 days before and 5 days after calving, and contains not less than 3 per cent of milk fat, and not less than  $8\frac{1}{2}$  per cent of solids—not fat.

"(2) Skim milk is milk from which a part or all of the cream has been removed and contains not less than  $8\frac{1}{10}$  per cent of milk solids.

"(3) Condensed milk or evaporated milk, is milk from which a considerable portion of water has been evaporated. The standard of purity of condensed milk and evaporated milk shall be that proclaimed and established by the Secretary of the United States Department of Agriculture.

"(4) Condensed skim milk is skim milk from which a considerable portion of water has been evaporated, and contains not less than 18 per cent of milk solids.

"(5) Cream is that portion of milk rich in milk fat which rises to the surface of milk on standing, or is separated from it by centrifugal force, is fresh and clean and contains not less than 18 per cent of milk fat.

"(6) Evaporated cream, or clotted cream, is cream from which a considerable portion of water has been evaporated.

"(7) Milk fat, or butter fat, is the fat of milk and has a Reichert-Meissel number not less than 24 and a specific gravity not less than 0.905 (40° C.).

"(8) Butter is the clean, nonrancid product made by gathering in any manner the fat of fresh or ripened milk or cream into a mass, which also contains a small portion of the other milk constituents, with or without salt, and a harmless coloring, and contains not less than 80 per cent of milk fat.

"(9) Cheese is the sound, solid, and ripened product made from milk or cream, by coagulating the casein thereof with rennet or lactic acid, with or without the addition of ripening ferments and seasoning, and with or without salt and harmless coloring matter. All cheese marked 'Full cream cheese,' or 'Full milk cheese,' must contain in the water-free substance not less than 50 per cent of milk fat. All cheese marked 'Half skim cheese' must contain in the water-free substance not less than 25 per cent of milk fat. All cheese not plainly marked or branded as to its quality must contain in the water-free substance not less than 50 per cent of milk fat.

"(10) Buttermilk is that portion of the cream which remains after the separation and removal therefrom of the butter fat in the process of churning, without the addition of water.

"(11) Ice cream is the frozen product made from pure sweet milk or condensed milk or cream and sugar, with or without a harmless flavoring or coloring, and contains not less than 10 per cent of milk fat and not more than six-tenths of 1 per cent of pure and harmless vegetable gum or gelatin.

"(12) Fruit ice cream is the frozen product made from pure, sweet cream, sugar, and sound, clean, mature fruits, and contains not less than 8 per cent of milk fat and not more than six-tenths of 1 per cent of pure and harmless vegetable gum or gelatin.

"(13) Nut ice cream is the frozen product made from pure, sweet cream, sugar, and sound, non rancid nuts, and contains not less than 8 per cent of milk fat, and not more than six-tenths of 1 per cent of pure and harmless vegetable gum or gelatin.

"(14) Ice milk is the frozen product, containing less fat than ice cream, and made from pure, sweet milk and sugar, with or without a harmless flavoring or coloring, and contains not less than 2.4 per cent of milk fat, and not more than six-tenths of 1 per cent of pure and harmless vegetable gum or gelatin.

"(15) The process of pasteurization, as applied to milk, skim milk, cream and milk products, is hereby defined to be a process for the elimination therefrom of organisms harmful to human beings, which process shall consist of uniformly heating such milk, skim milk, or cream, as the case may be, to a temperature of not less than 140° Fahrenheit and of holding the same at the said temperature for a period of not less than 25 minutes, and immediately thereafter of cooling the same to a temperature of not above 50° Fahrenheit: *Provided*, That when cream is pasteurized to be used and is used in the manufacture of butter, or when milk is pasteurized to be used and is used in the manufacture of cheese, and where the process of ripening or starting in each case is to be commenced immediately, then it shall not be required that such cream or milk be cooled to a lower degree than is necessary for such ripening or starting. All pasteurized cream or milk used in the manufacture of pasteurized butter and cheese, respectively, shall be pasteurized at and in the plant where such butter or cheese, as the case may be, is manufactured therefrom. Repasteurization of any milk is hereby expressly forbidden.

"Also all apparatus used for the pasteurization of milk, skim milk, or cream shall be kept in strictly clean and sanitary condition and shall be equipped with a recording thermometer device which will accurately record the temperature to which and the length of time for which the pasteurized product has been heated. All recording thermometer devices used in the pasteurization of any such milk, skim milk, or cream must be approved by and at all times subject to the approval of the State dairy bureau, the State board of health, and of all other State, county, and municipal officers charged with the enforcement of laws and ordinances respecting dairy products or the public health; and all persons, firms, or corporations using pasteurizing apparatus within the State of California shall preserve and keep on file, for a period of not less than two months after the same are made, all records made by such thermometer, or in lieu of such preservation may deliver such records to any public officer authorized by law or ordinance to receive the same; and said records shall, at all times, be open to the inspection of the State dairy bureau, the State board of health, and of all other State, county, and municipal officers charged with the enforcement of laws and ordinances respecting dairy products or the public health."

**Milk and Milk Products—Production, Care, and Sale—Tuberculin Test. (Chap. 742, Act June 11, 1915.)**

SECTION 1. It shall be unlawful for any person, firm, or corporation, except in bulk to the wholesale trade, to sell or exchange or offer or expose for sale or exchange for human consumption any milk from cows that have not passed the tuberculin test, until it has been pasteurized by the holding process at a temperature not less than 140° Fahrenheit for 25 minutes: *Provided*, That milk for drinking purposes shall not be heated above 145° Fahrenheit. It shall further be unlawful for any person, firm, or corporation to sell or exchange or offer or expose for sale or exchange any milk products except cheese, into the composition of which any milk enters other than that permitted in this section of this act, to be sold at retail. For the purpose of this act milk shall be construed to include cream.

SEC. 2. It shall be unlawful for any person, firm, or corporation to sell or exchange, or offer for sale or exchange, in any city, county, or city and county, in which a milk inspection service, approved by the State dairy bureau, has been established, any

milk otherwise than as hereinafter provided in this act, and for the purpose of this act, the term "inspecting department" shall be construed to mean the health department of a county or group of counties, city or group of cities, or city and county maintaining a milk inspection service approved by the State dairy bureau.

SEC. 3. All milk, except certified milk, guaranteed milk, grade A milk, and grade B milk, is hereby declared to be impure and unwholesome and must not be sold for human consumption.

SEC. 4. For the purpose of this act milk shall be graded as follows: Certified milk, guaranteed milk, grade A milk, grade B milk, and milk not suitable for human consumption: *Provided*, That milk not suitable for human consumption shall be plainly so marked.

SEC. 5. No person, firm, or corporation shall sell or exchange, or offer or expose for sale or exchange, as or for guaranteed milk, any milk, raw or pasteurized, the quality of which is guaranteed by the dealer without approval in writing of the inspecting department, which milk must be of a higher standard than that required for grade A raw milk.

SEC. 6. No person, firm, or corporation shall sell or exchange, or offer or expose for sale or exchange, as and for grade A milk, any milk that does not conform to the rules and regulations and the methods and standards for production and distribution of grade A milk adopted by the inspecting department.

Grade A milk shall conform to the following requirements as a minimum: If raw, it shall consist of the clean raw milk from healthy cows, as determined by physical examination and by the tuberculin test by a qualified veterinarian under the supervision of the inspecting department, and from dairies that score not less than 70 per cent on the score card adopted by the United States Bureau of Animal Industry, Department of Agriculture. The tuberculin test must be repeated annually if no reacting animals are found in the herd. If reacting animals are found, they must be removed from the herd and the tuberculin test repeated in six months. All cows are to be fed, watered, housed, and milked under conditions approved by the inspecting department. All persons who come in contact with the milk must exercise scrupulous cleanliness and must not harbor the germs of typhoid fever, tuberculosis, diphtheria, or other infectious diseases liable to be conveyed by milk. Absence of such infections shall be determined by cultures and physical examination to the satisfaction of the inspecting department.

This milk is to be delivered in sterile containers and is to be kept at a temperature established by the inspecting department until it reaches the ultimate consumer, when it must contain less than 100,000 bacteria per cubic centimeter. If pasteurized, it shall come from cows free from disease, as determined by physical examination at least once in six months by a qualified veterinarian of an inspecting department. It shall contain less than 200,000 bacteria per cubic centimeter before pasteurization and less than 10,000 bacteria per cubic centimeter at the time of delivery to the ultimate consumer. Dairies from which this milk is derived must score at least 60 on the score card adopted by the United States Bureau of Animal Industry, Department of Agriculture.

SEC. 7. No person, firm, or corporation shall sell or exchange, or offer or expose for sale or exchange, as and for grade B milk, any milk that does not conform to the following requirements as a minimum: It must be obtained from cows in no way unfit for the production of milk for use by man, as determined by physical examination at least once in six months by a qualified veterinarian of an inspecting department. Before pasteurization such milk shall contain less than 1,000,000 bacteria per cubic centimeter. After pasteurization it shall contain less than 50,000 bacteria per cubic centimeter.

Milk for pasteurization must be kept at a temperature established by the inspecting department up to the time of delivery to the pasteurization plant and rapidly cooled

after pasteurization to a temperature of 50° Fahrenheit, or below, and so maintained to the time of delivery of the same. Pasteurization shall be by the holding method at a temperature not less than 140° Fahrenheit: *Provided*, That milk for drinking purposes shall not be heated above 145° Fahrenheit.

Such pasteurizing plant shall be equipped with a self-registering device for record of the time and temperature of pasteurization. Such records shall be kept for two months and be available for inspection by any health department, the State veterinarian, or any of his agents, or the State dairy bureau. Pasteurized milk shall be marked with the day of the week of pasteurization and must be delivered to the consumer within 48 hours thereafter. If milk is repasteurized, it must not be sold except as not suitable for human consumption.

SEC. 8. Milk not suitable for human consumption may be sold for industrial purposes, provided it be heated to a higher temperature than necessary for pasteurization, and delivered in a distinctive container, plainly marked with the words "Not suitable for human consumption," in letters not less than one-quarter inch in length and one-twelfth inch stroke.

SEC. 9. Counties, or groups of counties, cities or groups of cities, or cities and counties, are hereby authorized to maintain a milk-inspection service and laboratory conformable to requirements as set forth by the State dairy bureau, and to establish pasteurizing plants.

SEC. 10. Any person who shall violate any provision of this act shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than \$25 nor more than \$200, or by imprisonment in the county jail for not less than 10 days nor more than 60 days, or by both such fine and imprisonment. One-half of all such fines shall be paid into the State treasury and placed to the credit of the general fund.

SEC. 11. It shall be the duty of the State dairy bureau, with the assistance of the pure-food and drugs laboratory, to enforce all the provisions of this act except the tuberculin testing of cows; and said bureau, with the approval and assistance of the pure-food and drugs laboratory, is hereby empowered to make such rules and regulations as may be necessary and advisable for such enforcement.

SEC. 12. It shall be the duty of the State veterinarian, as soon as practicable, either directly or through local inspecting departments, to enforce the provisions of this act as to the tuberculin testing of cows. For such purpose he may appoint such veterinarians as may be necessary.

SEC. 13. If any dairyman not operating under an inspecting department desires to sell milk, he may file with the State veterinarian a written request that his cows be tuberculin tested. After the filing of such request, said dairyman shall not be liable under the provisions of this act until such time as the State veterinarian shall be able to make the required test. The provision of this section shall apply also to any dairyman operating under an inspecting department if such inspecting department approves.

SEC. 14. There is hereby appropriated out of any moneys in the State treasury not otherwise appropriated the sum of \$10,000, to be expended by the State veterinarian in accordance with the law to carry out the purposes of this act.

SEC. 15. The provisions of this act shall be effective on and after October 1, 1916.

**Food and Drink—Use of Imported Eggs in, to be Indicated in Places where Prepared or Sold. (Chap. 616, Act June 4, 1915.)**

SECTION 1. For the purposes of this act the words "person, firm, company, or corporation" shall include hotels, restaurants, cafeterias, lunch counters, lunch wagons, saloons, soda fountains, bakeries, delicatessens, and boarding houses, and every place where food or drink is prepared and offered for sale.

SEC. 2. Every person, firm, company, or corporation who prepares or serves, sells, or offers for sale, any food or drink the ingredients of which are in part composed of

eggs shipped or imported into the State of California from any point or place outside of the United States, before so doing shall cause to be printed on all bills of fare or menu cards placed on his or their tables or counters, in black-faced letters not less than one-eighth of an inch in height, the words "Imported eggs used here."

SEC. 3. Every person, firm, company, or corporation preparing, serving, selling, or offering for sale, any food or drink the ingredients of which are in part composed of eggs shipped or imported into the State of California from any point or place outside of the United States shall display in a conspicuous place in his or their public salesroom a sign, which shall be not less than 6 inches in height and three feet in length, bearing the words "Imported eggs used here" in black-faced letters not less than 3 inches in height and one-quarter of an inch in width, upon a white ground.

SEC. 4. Every person, firm, company, or corporation who shall fail to comply with any of the provisions of this act is guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment in the county jail for not more than six months or by a fine of not more than \$250, or by both such fine and imprisonment, in the discretion of the court. It shall be the duty of the State board of health to enforce the provisions of this act.

**Foodstuffs in Packages—Use of Imported Eggs in, to be Indicated on Cards Placed in the Packages. (Chap. 617, Act June 4, 1915.)**

SECTION 1. For the purposes of this act the words "person, firm, company, or corporation" shall include biscuit companies, cracker companies, bakeries, manufacturers of food products, and every person manufacturing and selling food products in packages.

SEC. 2. Every person, firm, company, or corporation who sells, or offers for sale, any manufactured food product the ingredients of which are in part composed of eggs shipped or imported into the State of California from any point or place outside of the United States shall, before so doing, cause to be placed in each package or wrapper inclosing such manufactured food product a white card 1½ inches in height and 3 inches in length, on one side of which shall be printed or stamped, in legible black-faced letters, the words "Imported eggs used in the manufacture of this article," and no other words, letters, or figures shall be printed or stamped on the same side of the card.

SEC. 3. Every person, firm, company, or corporation who shall fail to comply with any of the provisions of this act is guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment in the county jail for not more than six months or a fine of not more than \$250, or by both such fine and imprisonment, in the discretion of the court. It shall be the duty of the State board of health to enforce the provisions of this act.

**Eggs—Sale of, when Imported from Points Outside the United States—Labeling Required. (Chap. 615, Act June 4, 1915.)**

SECTION 1. For the purposes of this act the words "person, firm, company, or corporation" shall include wholesalers, retailers, jobbers, and every place where eggs that have been shipped or imported into the State of California, from any point or place outside of the United States, are sold or offered for sale.

SEC. 2. Every person, firm, company, or corporation who sells, offers for sale, or has in his or their possession for sale, or consigns, ships, or presents to any dealer, commission merchant, consumer, or other person, any egg or eggs that have been shipped or imported into the State of California, from any point or place outside of the United States, shall before so doing cause to be stamped, marked, or branded upon one end thereof in black-faced letters not less than one-eighth of an inch in height the word "imported."

SEC. 3. Every person, firm, company, or corporation selling or offering for sale any eggs that have been shipped or imported into the State of California, from any point or place outside of the United States, shall display in a conspicuous place in his or their public salesroom a sign, which shall be not less than 1 foot in height and 6 feet in length, bearing the words "imported eggs sold here" in black-faced letters not less than 6 inches in height and 1 inch in width upon a white ground.

SEC. 4. Every person, firm, company, or corporation who receives eggs that have been produced in any foreign country and shipped or imported into this State shall immediately thereafter make a report to the State board of health, giving the number of eggs received, the date when received, and the place where such eggs were produced.

SEC. 5. Every person, firm, company, or corporation who shall fail to comply with any of the provisions of this act is guilty of a misdemeanor, and, upon conviction thereof, shall be punished by imprisonment in the county jail for not more than six months, or by a fine of not more than \$200, or by both such fine and imprisonment, in the discretion of the court. It shall be the duty of the State board of health to enforce the provisions of this act.

**Foodstuffs—Guaranty of Manufacturer or Dealer. Food and Drugs Laboratory Established. (Chap. 93, Act Apr. 23, 1915.)**

SECTION 1. Section 9 of an act entitled "An act for preventing the manufacture, sale, or transportation of adulterated, mislabeled, or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State laboratory for foods, liquors, and drugs, and making an appropriation therefor," as amended by an act entitled "An act to amend sections 20 and 22 of an act entitled 'An act for preventing the manufacture, sale, or transportation of adulterated, mislabeled, or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State laboratory for foods, liquors, and drugs, and making an appropriation therefor,' approved March 11, 1907," which amendatory act was approved April 26, 1911, is hereby amended so as to read as follows:

"SEC. 9. For the purpose of this act there is hereby established a State laboratory for the analysis and examination of foods and drugs, which shall be under the supervision of the State board of health, which laboratory shall be located at such place as the State board of health may select.

"The State board of health shall appoint a director of said laboratory, a consulting nutrition expert, and an assistant to such director, all of whom shall be skilled pharmaceutical chemists and analysts of foods and drugs. Said director shall perform all duties required by this act and which shall be required by the State board of health. Said consulting nutrition expert shall at all times be ready for consultation with, give advice to, and perform duties in connection with the director of said laboratory, and shall at all times be under the supervision of and perform such duties under this act as are required by the State board of health. As a part of his duties he shall consult and advise with the State board of control concerning standards of purity and other matters relating to foods and drugs purchased by the State of California for any or all of its institutions. The assistant shall be under the supervision of the director and shall perform all duties required of him by the director and by the State board of health.

"The director shall receive an annual salary of \$3,000, the consulting nutrition expert shall receive an annual salary of \$1,000, and the assistant to the director shall receive an annual salary of \$1,500. All such salaries shall be paid in the same manner and at the same time as the salaries of State officers.

"The State board of health, out of the appropriation hereinafter provided, and out of the funds derived from the operation of this act, may employ and fix the compensation of other and additional clerical and professional assistants."

SEC. 2. Section 22 of said act is hereby amended to read as follows:

"SEC. 22. No dealer shall be prosecuted under the provisions of this act when he can establish a guaranty signed by the wholesaler, jobber, manufacturer, or other party residing in the United States from whom he purchased such article, to the effect that the same is not adulterated, mislabeled, or misbranded within the meaning of this act, and can also establish by satisfactory evidence that the article sold by him was mislabeled and that at the time of making such sale he was not aware of that fact; such guaranty may be either general or special. A general guaranty shall guarantee without condition or restriction all of the products or articles produced, prepared, compounded, packed, distributed, or sold by the guarantor as not adulterated within the meaning of this act. A special guaranty shall guarantee in the same manner the particular articles listed in an invoice of the same, and shall be attached to or shall fully identify such invoice. Both said guaranties to afford protection must contain the name and address of the party or parties making the sales of such article to said dealer. If the guaranty be to the effect that such article is not adulterated, mislabeled, or misbranded within the meaning of the national pure food act, approved June 30, 1906, it shall be sufficient for all the purposes of this act and have the same force and effect as though it referred to this act, except that a guaranty referring to the said national pure food act alone shall not be sufficient for the purposes of this act in any case where at any time the standard for the article concerned under this act is higher than the standard for a like article under said national pure food act.

"In case the wholesaler, jobber, manufacturer, or other party making such guaranty to said dealer resides without this State and it appears from the certificate of the director of the State laboratory that such article or articles were adulterated, mislabeled, or misbranded within the meaning of this act or the national pure food act approved June 30, 1906, the district attorney must forthwith notify the Attorney General of the United States of such violation."

SEC. 3. The provisions of section 2 of this act shall be in force and effect from and after May 1, 1916: *Provided*, That as to products packed and labeled prior to May 1, 1916, in accordance with said national pure food act, and with the regulations thereunder in force prior to May 5, 1914, the provisions of section 2 of this act shall be in force and effect from and after November 1, 1916.

#### **Butter—Labeling—Producer and Place where Produced. (Chap. 179, Act May 4, 1915.)**

SECTION 1. Section 8 of an act entitled "An act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under insanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter and oleomargarine; to regulate the business of producing, buying, and selling dairy products, oleomargarine, renovated or imitation butter, and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section 17 of an act approved March 4, 1897, entitled 'An act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor,' and to repeal all acts and parts of acts inconsistent with this act," approved April 21, 1911, is hereby amended to read as follows:

"SEC. 8. In case any butter is sold, or offered for sale, in a package or wrapper purporting to designate the producer of such butter, such producer must be correctly designated. In case any butter is sold, or offered for sale, in a package or wrapper, or under a label purporting or calculated to designate the place of production, such package, wrapper, or label must correctly name the place where made; or if such package, wrapper, or label bears the name of any county, city and county, city or town in this State or any other geographical designation, such package, wrapper, or



label must also correctly name the place where made. No person, firm, or corporation shall put up in package or wrapper, or otherwise prepare for shipment or sale, any butter under a label purporting to designate the producer, place of production, or bearing the name of any county, city and county, city or town of this State, or any other geographical designation, except in accordance with the provisions hereof; nor shall any person, firm, or corporation sell or offer for sale any butter in a package, wrapper, or under a label purporting to designate the name of the producer or the place of production or bearing the name of any county, city and county, city or town of this State, or geographical designation, except in accordance with the provisions hereof.

"SEC. 9. This act shall take effect on and after the 1st day of January, 1916."

**Butter—Imported from Outside of the United States—Must be Labeled. (Chap. 416, Act May 19, 1915.)**

SECTION 1. For the purposes of this act the words "person, firm, company, or corporation" shall include wholesalers, retailers, jobbers, and every place where butter that has been shipped or imported into the State of California from any point or place outside of the United States is sold or offered for sale.

SEC. 2. Every person, firm, company, or corporation who sells, offers for sale, or has in his or their possession for sale, or consigns, ships, or presents to any dealer, commission merchant, consumer, or other person any butter that has been shipped or imported into the State of California from any point or place outside of the United States shall, before doing so, cause to be stamped, marked, or printed upon the wrapper or other container thereof, in black-face letters not less than one-eighth of an inch in height, the word "imported."

SEC. 3. Every person, firm, company, or corporation selling or offering for sale any butter that has been shipped or imported into the State of California from any point or place outside of the United States shall display in a conspicuous place in his or their public salesroom a sign, which shall be not less than 1 foot in height and 2 feet in length, bearing the words "imported butter sold here," in black-face letters not less than 3 inches in height and one-half inch in width upon a white ground.

SEC. 4. Every person, firm, company, or corporation who shall fail to comply with any of the provisions of this act, and, upon conviction thereof, shall be punished by imprisonment in the county jail for not more than six months or by a fine of not more than \$250, or by both such fine and imprisonment, in the discretion of the court.

**Cold Storage—Definition—License—Fees. (Chap. 385, Act May 19, 1915.)**

SECTION 1. Section 1 of an act entitled "An act relating to cold storage, the regulation of refrigerating warehouses, the disposition or sale of food kept or preserved therein, and defining the duties of the State board of health in relation thereto," approved June 13, 1913,<sup>1</sup> is hereby amended to read as follows:

"SECTION 1. The term 'cold storage' as used in this act shall be construed to mean a place artificially cooled to a temperature of 40° Fahrenheit or below, but shall not include such a place in a private home, hotel, restaurant, or exclusively retail establishment not storing articles of food for other persons. The term 'cold stored' as used in this act shall be construed to mean the keeping of articles of food in cold storage for a period exceeding 30 days. The term 'articles of food' as used in this act shall be construed to mean and include fresh meat and fresh meat products (except in process of manufacture), fresh and dried fruit and vegetables, fish, shellfish, game, poultry, eggs, butter, and cheese. The term 'storer' as used in this act shall be construed to mean the person or persons who offer articles of food for cold storage."

<sup>1</sup> Reprint No. 264 from the Public Health Reports, p. 77.

SEC. 2. Section 2 of said act is hereby amended to read as follows:

"SEC. 2. Any person, firm, or corporation desiring to operate a cold-storage or refrigerating warehouse wherein shall be stored articles of food for a period exceeding 30 days, shall make application in writing to the State board of health for that purpose, stating the location of its plant or plants. On receipt of the application the State board of health shall cause an examination to be made into the sanitary condition of said plant or plants and if found to be in a sanitary condition and otherwise properly equipped for the business of cold storage the State board of health shall cause a license to be issued authorizing the applicant to operate a cold-storage or refrigerating warehouse for and during a period of one year.

"The license shall be issued upon payment by the applicant of a license fee to the State board of health for each and every warehouse or plant operated by applicant under the provisions of this act for all cold-storage or refrigerating warehouses or plants having a capacity of 10,000 cubic feet, or less, a fee of \$15. For all cold-storage or refrigerating warehouses or plants having a capacity of more than 10,000 cubic feet and less than 50,000 cubic feet, a fee of \$30. For all cold-storage or refrigerating warehouses or plants having a capacity of more than 50,000 cubic feet and less than 100,000 cubic feet, a fee of \$40. For all cold-storage or refrigerating warehouses or plants having a capacity of 100,000 cubic feet or more, a fee of \$50.

"The secretary of the State board of health shall keep a full and correct account of all fees received under the provisions of this act, and shall, at least once each month, deposit all such fees collected with the State treasurer, and make a detailed report covering same to the State controller, and such moneys shall be credited to the traveling and contingent fund of the State board of health to be used exclusively for the purposes of this act: *Provided, however*, That nothing in this act contained shall apply to cold storage or cold-storage or refrigerating plants or warehouses as herein defined which are maintained or operated by restaurants, hotels, or exclusively retail establishments not storing articles of food for other persons."

**Water for Domestic Use—Permit for Furnishing—Investigation by State Board of Health. (Chap. 649, Act June 7, 1915.)**

SECTION 1. Section 2 of an act entitled "An act to prevent the supply of water dangerous to health for domestic purposes and to provide for the installation of sanitary water systems," approved June 13, 1913,<sup>1</sup> is hereby amended to read as follows:

SEC. 2. Whenever any person, firm, corporation, public utility, municipality, or other public body, institution, or corporation shall desire to furnish or supply, or continue to furnish or supply, water for domestic uses or purposes to any person in any county, city and county, municipal corporation, village, district, community, hotel, temporary or permanent resort, institution, or industrial camp, it or he shall file as herein provided with the State board of health a petition for permission so to do, together with a statement containing a general description and history of the existing or proposed water-supply system or distribution showing the geographical location thereof with relation to the source of the water supply and all the sanitary and health conditions surrounding and affecting said supply and the works, system, plant, and distributing system, such general statement to be in such form and to cover such matters as the State board shall prescribe. Thereupon a thorough investigation of the proposed or existing works, system, plant, water supply, and all other circumstances and conditions by it deemed to be material must be made under the direction of the State board of health: *And provided further*, That no person, firm, or corporation supplying water for domestic purposes or use on his or its private property upon which there is no industrial camp, hotel, temporary or permanent resort using said water, or supplying less than 200 service connections, shall be required to apply for

<sup>1</sup> Reprint No. 284 from the Public Health Reports, p. 73.

a permit under the provisions of this section, except upon formal complaint filed with the State board of health by a person receiving such water or by some duly authorized public officer.

As a part of such investigation, and after 10 days' notice by mail to the petitioner, a hearing or hearings may be had before said board or an examiner appointed by it for the purpose. At such hearing or hearings witnesses who testify shall be sworn by the person conducting the hearing, and evidence, oral, and documentary, may be received, a record of which shall be made and filed with said board. All of the expenses of such investigation, including hearings, excepting the compensation of State officers participating therein, shall be borne, and paid as they accrue, by the petitioner. Upon the completion of such investigation, said board:

(a) If it shall determine, as a fact, that the water being furnished or to be furnished or supplied is such that under all the circumstances and conditions it is or may constitute a menace or danger to the health or lives of human beings, or that under all the circumstances and conditions the existing or proposed works, system, plant or water supply is unhealthful or unsanitary, it shall deny the prayer of such petitioner: *Provided, however,* That in case such petition shall be for permission to continue to furnish or supply water from a water system permanently constructed, established and operating prior to the passage of this act, said board may grant the petitioner a temporary and revocable permit, authorizing the continuance of the water supply, under such restrictions and conditions as in said permit may be specified to enable the petitioner to appoint an expert or commission to investigate and report on the best method of water supply, and to construct and put into operation a new or altered system, plant, water supply or distributing system, or to so alter, add to, repair, or modify the operation of the existing water supply, plant, works or system that the water furnished or supplied shall not endanger the lives or health of human beings.

(b) If it shall determine, as a fact, that the water being furnished or supplied to such human beings is such, that under all the circumstances and conditions, it does not endanger the lives or health of human beings it shall grant to petitioner a permit authorizing petitioner to furnish or continue to furnish or supply such water to such human beings: *Provided, however,* That all permits issued hereunder shall be revocable or subject to suspension by said board at any time that it shall determine, as a fact, that the water being supplied or furnished or intended to be supplied or furnished does or will endanger the lives or health of human beings. The State board of health and its inspectors shall at any and all reasonable times have full power and authority to, and shall be permitted to, enter into and upon any and all places, property, inclosures and structures for the purpose of making and therein or thereon to make examinations and investigations to determine whether any provision of this act is being violated. The holder of any permit granted by said board under the provisions of this act may at any time by order of said board be required to furnish to said board, upon demand, a complete report upon the condition and operation of the water supply, plant, works or system owned, operated or controlled by it, which report shall be made by some competent person designated for the purpose by said board, and at the sole cost and expense of the holder of the permit. Any person, firm, corporation, public utility, municipality, or other public body, institution or corporation who shall furnish or supply or continue to furnish or supply water used or intended to be used for human consumption or for domestic purposes without having an unrevoked permit from the State board of health so to do, as in this act provided, may be enjoined from so doing by any court of competent jurisdiction, at the suit of any person or persons, firm, corporation, municipal or other public corporation whose supply of water for human consumption or for domestic purposes is taken, or received, from, or supplied or furnished by any such water furnishing or distributing person, firm, corporation, public utility or municipality or other public body, institution or corporation, or it

or he may be enjoined at the suit of the State board of health in the same manner: *Provided, further*, That any such person, firm, corporation, public utility, municipality or other body, institution or corporation subject to the provisions of this act may file such petition at any time prior to January 1, 1914, unless sooner required so to do by order of said State board of health. Anything done, maintained or suffered in violation of any of the provisions of this act shall be deemed to be a public nuisance dangerous to health and may be summarily abated in the manner provided by law and it shall be the duty of all and every public officer or officers, body or bodies lawfully empowered so to do to immediately abate the same.

**Pure Drinking Water—Required to be Furnished Free to Employees. (Chap. 485, Act May 24, 1915.)**

SECTION 1. Every employer of labor in this State shall, without making a charge therefor, provide fresh and pure drinking water to his employees during working hours. Access to such drinking water shall be permitted at reasonable and convenient times and places.

Any violation of the provisions of this act shall be deemed a misdemeanor and punishable for each offense by a fine of not less than \$25 nor more than \$100 or by imprisonment for not more than 30 days or by both such fine and imprisonment.

**Poisons and Habit-Forming Drugs—Use, Sale, and Dispensing. Opium Pipes—Possession of. (Chap. 604, Act June 1, 1915.)**

SECTION 1. Section 7 of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, approved March 19, 1909, approved April 25, 1911, approved June 11, 1913,<sup>1</sup> is hereby amended to read as follows:

SEC. 7. Any person violating any of the provisions of sections 8 or 8a of this act shall upon conviction thereof be guilty of and shall be punished as follows, viz: For the first offense said person so convicted shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than \$100, and not to exceed \$400, or by imprisonment for not less than 50 days and not exceeding 180 days, or by both such fine and imprisonment; for the second offense said person so convicted shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than \$250, and not to exceed \$500, or by imprisonment for not less than 90 days and not exceeding six months, or by both such fine and imprisonment; and for the third offense said person so convicted shall be deemed guilty of a felony and shall be punished by imprisonment in the State prison for not less than one year and not more than five years. Any person violating any of the provisions of this act except those contained in section 8 or 8a, shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum not less than \$30, nor more than \$200, or by imprisonment for not less than 30 days and not more than 50 days, or by both such fine and imprisonment. All moneys, forfeited bail or fines, received under the operation of this act shall be paid by the magistrate receiving same, 75 per cent to the State board of pharmacy; and 25 per cent to the city treasurer of the city, if incorporated, or to the county treasurer of the county in which the prosecution is conducted. The following is schedule "A" referred to in section 1, viz: Schedule "A," arsenic, its compounds and preparations, corrosive sublimate, and other poisonous derivatives of mercury, cyanide of potassium, strychnine, hydrocyanic acid, oils of croton, rue, savin, and tansy, phosphorus and its poisonous derivatives and compounds, strophanthus or its preparations, aconite, belladonna, nux vomica, veratrum viride, their preparations, alkaloids or derivatives, ant poison containing any of the poisons enumerated in this schedule.

<sup>1</sup> Public Health Reports Oct. 10, 1913, p. 2130; Reprint No. 146, from the Public Health Reports, p. 24. See also ex parte Potter, Public Health Reports June 18, 1915, p. 1851; Reprint No. 342 from the Public Health Reports, p. 150, which is the report of a decision of a California court construing section 7 of this act before this amendment was adopted.

The following is schedule "B": Hydrochloric or muriatic acid, nitric acid, oxalic acid, sulphuric acid, bromine, chloroform, cowhage, creosote, ether, solution of formaldehyde or formalin; cantharides, cocculus indicus, all their preparations; iodine, or its tinctures, oil of pennroyal, tartar emetic, and other poisonous derivatives of antimony, sugar of lead, sulphate of zinc, wood alcohol, lysol and compound solution of cresol.

SEC. 2. Section 8 of said act is hereby amended to read as follows:

SEC. 8. It shall be unlawful for any person, firm, or corporation to sell, furnish or give away or offer to sell, furnish or give away or to have in their or his possession any cocaine, opium, morphine, codeine, heroin, alpha eucaïne, beta eucaïne, nova caine, flowering tops and leaves, extracts, tinctures and other narcotic preparations of hemp or loco weed (*cannabis sativa*), Indian hemp, or chloral hydrate or any of the salts, derivatives or compounds of the foregoing substances or any preparation or compound containing any of the foregoing substances or their salts, derivatives or compounds excepting upon the written order or prescription of a physician, dentist or veterinary surgeon, licensed to practice in this State, which order or prescription shall be dated and shall contain the name of the person for whom prescribed, written in by the person writing said prescription, or if ordered by a veterinary surgeon it shall state the kind of animal for which ordered and shall be signed by the person giving the prescription or order. Such order or prescription shall be permanently retained on file by the person, firm or corporation who shall compound or dispense the articles ordered or prescribed and it shall not be again compounded or dispensed if each fluid or avoirdupois ounce contains more than two grains of opium or one quarter grain of morphine, or one grain of codeine, or one eighth grain of heroin or ten grains of chloral hydrate, or four grains of Indian hemp or loco weed excepting upon the written order of the prescriber for each and every subsequent compounding and dispensing.

No copy or duplicate of such written order or prescription shall be made or delivered to any person, but the original shall be at all times open to inspection by the prescriber and properly authorized officers of the law and shall be preserved for at least three years from the date of the filing thereof: *Provided*, That the above provisions shall not apply to sales at wholesale by jobbers, wholesalers, and manufacturers to pharmacies, as defined in section 1 of an act entitled "An act to regulate the practice of pharmacy in the State of California and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, and acts amendatory thereof; or physicians, nor to each other, nor to the sale at retail in pharmacies by pharmacists to physicians, dentists or veterinary surgeons duly licensed to practice in this State: *Provided, further*, That all such wholesale jobbers, wholesalers, and manufacturers, in this section mentioned shall keep in a manner readily accessible, the written orders or blank forms required to be preserved under the provisions of section 2 of the act of Congress, approved December 17, 1914, relating to the production, importation, manufacture, compounding, sale, dispensing, or giving away of opium or coco leaves and salts, derivatives or preparations. And said records shall always be open for inspection by any peace officer or any member of the board of pharmacy or any inspector authorized by said board and such records shall be preserved for at least two years after the date of the last entry therein. The taking of any order, or making of any contract or agreement, by any traveling representative, or any employee, of any person, firm or corporation, for future delivery in this State, of any of the articles or drugs mentioned in this section shall be deemed a sale of said articles or drugs by said traveling representative, or employee, within the meaning of the provision of this act: *Provided further*, That a true and correct copy of all orders, contracts, or agreements taken for narcotic drugs specified in this section shall be forwarded by registered mail to the secretary of the California State Board of Pharmacy within 24 hours after the taking of such order,

contract, or agreement, unless such order, contract, or agreement is recorded as required under the provisions of section 2 of an act of Congress, approved December 17, 1914, relating to the production, importation, manufacture, compounding, sale, dispensing, or giving away of opium or coca leaves, their salts, derivatives, or preparations of some wholesale jobber, wholesaler, or manufacturer permanently located in this State, as provided for in this section.

It shall be unlawful for any practitioner of medicine, dentistry, or veterinary medicine to furnish to or prescribe for the use of any habitual user of the same, or of any one representing himself as such, any cocaine, opium, morphine, codeine, heroin, or chloral hydrate, or any salt, derivative or compound of the foregoing substances or their salts, derivatives, or compounds; and it shall also be unlawful for any practitioner of medicine or dentistry to prescribe any of the foregoing substances for any person not under his treatment in the regular practice of his profession, or for any veterinary surgeon to prescribe any of the foregoing substances for the use of any human being: *Provided, however*, That the provisions of this section shall not be construed to prevent any duly licensed physician from furnishing or prescribing in good faith as their physician by them employed as such, for any habitual user of any narcotic drugs who is under his professional care, such substances as he may deem necessary for their treatment, when such prescriptions are not given or substances furnished for the purpose of evading the purposes of this act: *Provided*, That such licensed physician shall report in writing, over his signature, by registered mail, to the office of the California State Board of Pharmacy, within 24 hours after the first treatment, each and every habitual user of such narcotic drugs as are enumerated in this section, whom he or she has taken in good faith under his or her professional care, for the cure of such habit, such report to contain the date, name, and address of such patient, and the name and quantity of the narcotic or narcotics prescribed in such treatment: *Provided, further*, That the provision immediately foregoing shall not apply to any licensed physician treating such habitue in good faith who personally administers such narcotics, enumerated in this section, after writing a prescription therefor: *And provided, further*, That the above provisions shall not apply to preparations sold or dispensed without a physician's prescription containing not more than 2 grains of opium, or one-fourth grain of morphine, or 1 grain of codeine, or one-eighth grain of heroin, or 10 grains chloral hydrate, or 4 grains of Indian hemp or loco weed in 1 fluid ounce or, if a solid preparation, in 1 ounce, avoirdupois.

SEC. 3. Section 8a of said act is hereby amended to read as follows:

SEC. 8a. The possession of a pipe or pipes used for smoking opium (commonly known as opium pipes) or the usual attachment or attachments thereto, or other contrivances used for smoking opium, or extracts, tinctures, or other narcotic preparations of hemp, or loco weed, their preparations or compounds containing more than 4 grains to each fluid or avoirdupois ounce (except corn remedies containing not more than 15 grains of the extract or fluid extract of hemp to the ounce, mixed with not less than five times its weight of salicylic acid combined with collodion), is hereby made a misdemeanor, and upon conviction thereof shall be punishable by the penalties prescribed in section 7 of this act.

SEC. 4. Section 8b of said act is hereby amended to read as follows:

SEC. 8b. All narcotic drugs specified in section 8 and also all pipes used for smoking opium (commonly known as opium pipes) or the usual attachments thereto, flowering tops and leaves, or extracts, tinctures, or other narcotic preparations of hemp, or loco weed, their preparations or compounds, containing more than 4 grains of Indian hemp or loco weed to each fluid or avoirdupois ounce (except corn remedies containing not more than 15 grains of the extract or fluid extract of hemp to the ounce, mixed with not less than five times its weight of salicylic acid combined with collodion), may be seized by any peace officer, and in aid of such seizure a search warrant or search warrants may be issued in the manner and form prescribed in chapter 3 of title 12 of part

2 of the penal code. All such narcotic drugs, pipes used for smoking opium (commonly known as opium pipes), or the usual attachments thereto, and all such hemp or preparation of hemp or loco weed seized under the provisions of this act shall be ordered destroyed by the judge of the court in which final conviction was had; said order of destruction shall contain the name of the party charged with the duty of destruction as herein required: *Provided, however,* That the judge shall turn all such evidence over to the California State Board of Pharmacy for such destruction: *And provided further,* That any narcotic drugs specified in section 8, opium pipes, and the usual attachments thereto, or smoking opium, seized under the provisions of this act, now in the possession of any city or county official or officials, or the California State Board of Pharmacy, or which may hereafter come into their or its possession, in which no trial was had, shall be delivered to the California State Board of Pharmacy for destruction by said board: *Provided, however,* That none of the narcotic drugs specified in section 8, opium pipes and the usual attachments thereto, or smoking opium coming into the possession of said board, as above described, shall not be destroyed within a period of six months from the date of such seizure: *And provided further,* That the board of pharmacy may dispose of all narcotics now on hand or hereafter coming into their possession (other than smoking opium), either by gift to the medical director of California State prisons or State hospitals or by sale to wholesale druggists, the funds received from such sales to be applied by the board of pharmacy to the carrying out the provisions of this act or of the act creating such California State Board of Pharmacy.

SEC. 5. Section 8c of said act is hereby amended to read as follows:

SEC. 8c. The board may revoke the registration of any registered pharmacist or assistant pharmacist upon conviction of the second offense for violating any of the provisions of section 8 or 8a of this act, and in such case said registration shall not be restored before the period of one year from the date of said revocation.

SEC. 6. Section 8d of said act is hereby amended to read as follows:

SEC. 8d. The State board of pharmacy is hereby charged with the enforcement of the provisions of section 307 of the penal code and all fines, moneys, or forfeited bail imposed for violation of said section upon collection shall be disposed of as is provided for the disposition of fines, moneys, or forfeited bail, in section 7 of this act.

SEC. 7. Section 9 of said act is hereby amended to read as follows:

SEC. 9. The sale or furnishing of carbolic acid (phenol) in quantities of less than 1 pound, paregoric in quantities of more than 1 fluid ounce, is prohibited unless upon the prescription of a physician, dentist, or veterinary surgeon duly licensed to practice in this State, but this prohibition shall not apply to solution of carbolic acid (phenol) containing not over 10 per cent of the carbolic acid (phenol) and not less than 10 per cent of ethyl alcohol. All sales of carbolic acid (phenol) thus diluted so as to contain no more than 10 per cent of carbolic acid (phenol) may be made under the same conditions as the drugs enumerated in schedule "B" as found in section 7, but sales of carbolic acid (phenol) containing more than 10 per cent of said acid shall be registered subject to the same regulation as the poisons enumerated in schedule "A," as found in section 7.

**Drugs—Adulterated or Misbranded—Guaranty of Manufacturer or Dealer. (Chap. 94, Act Apr. 23, 1915.)**

SECTION 1. Section 21 of an act entitled "An act for the prevention of the manufacture, sale, or transportation of adulterated, mislabeled, or misbranded drugs, regulating the traffic in drugs, and providing penalties for violation thereof," approved March 11, 1907, is hereby amended so as to read as follows:

"SEC. 21. No dealer shall be prosecuted under the provisions of this act when he can establish a guaranty signed by the wholesaler, jobber, manufacturer, or other party residing in the United States from whom he purchased such article, to the effect that the same is not adulterated or misbranded within the meaning of this act. Such

guaranty may be either general or special. A general guaranty shall guarantee without condition or restriction all of the products or articles produced, prepared, compounded, packed, distributed, or sold by the guarantor as not adulterated within the meaning of this act. A special guaranty shall guarantee in the same manner the particular articles listed in an invoice of the same, and shall be attached to or shall fully identify such invoice. Both said guaranties to afford protection must contain the name and address of the party or parties making the sales of such article to said dealer.

"If the guaranty be to the effect that such article is not adulterated or misbranded within the meaning of the national pure food act, approved June 30, 1906, it shall be sufficient for all the purposes of this act and have the same force and effect as though it referred to this act, except that a guaranty referring to the said national pure food act alone shall not be sufficient for the purpose of this act in any case where at any time the standard for the article concerned under this act is higher than the standard for a like article under said national pure food act. In case the wholesaler, jobber, manufacturer, or other party making such guaranty to said dealer resides without this State and it appears from the certificate of the director of the State laboratory that such article or articles were adulterated or misbranded, within the meaning of this act or the national pure food act approved June 30, 1906, the district attorney must forthwith notify the Attorney General of the United States of such violation."

SEC. 2. This act shall be in force and effect from and after May 1, 1916: *Provided*, That as to products packed and labeled prior to May 1, 1916, in accordance with said national pure food act and with the regulations thereunder in force prior to May 5, 1914, this act shall be in force and effect from and after November 1, 1916.

**Drugs—Permits for Sale of Certain Household Remedies in Rural Communities.**  
(Chap. 529, Act May 27, 1915.)

SECTION 1. Section 16 of said act is hereby amended so as to read as follows:

"SEC. 16. The board of pharmacy shall issue a permit to general dealers in rural districts in which the conditions, in their judgment, do not justify the employment of a registered pharmacist, and where the store of such general dealer is not less than 3 miles distant from the store of a registered pharmacist; which said permit shall authorize the persons or firm named therein to sell in such locality, but not elsewhere, and under such restrictions and regulations as said board may from time to time adopt, the following simple household remedies and drugs, and no other, in such manner and form as may be hereafter authorized by said board, as follows, to wit:

"Tincture of arnica, spirits of camphor, almond oil, distilled extract witch-hazel, paregoric, sirup of ipecac, sirup of rhubarb, hive sirup, sweet spirits of niter, tincture of iron, Epsom salts, Rochelle salts, senna leaves, carbonate of magnesia, Seidlitz powders, quinine, cathartic pills, chamomile flowers, caraway seed, chlorate of potash, moth balls, plasters, salves, ointments, peroxide of hydrogen, copperas, gum camphor, blue ointment, asafetida, saffron, anise seed, saltpeter.

"The board shall charge an annual fee of \$5 in advance for such permit, and it shall be unlawful for any dealer to sell any drugs or ordinary household remedies without complying with the requirements of this section. Whenever a registered pharmacist shall establish a pharmacy within 3 miles by the shortest road from the place of business of such dealer, no further license shall be granted, and the license already issued shall be void: *Provided*, That the following drugs, medicines, and chemicals may be sold by grocers and dealers generally without restriction, viz:

"Glauber salts, vaseline, turpentine, condition powders, cream of tartar, carbonate of soda, bay rum, essence of Jamaica ginger, essence of peppermint, ammonia, alum, castor oil, bicarbonate of soda, chloride of lime, glycerine, witch-hazel, sheep dip, borax, sulphur, bluestone, flaxseed, insect powder, fly paper, ant poison, squirrel poison, and gopher poison, and arsenical poisons used for orchard spraying, when prepared and sold only in original and unbroken packages and labeled with the official poison labels."



**Drug Addicts and Inebriates—Commitment of. (Chap. 510, Act May 26, 1915.)**

SECTION 1. Section 2185c of the political code of the State of California is hereby amended to read as follows:

2185c. Whenever it appears by affidavit to the satisfaction of a magistrate of a county, or city and county, that any person is so far addicted to the intemperate use of narcotics or stimulants as to have lost the power of self-control, or is subject to dipsomania or inebriety, he must issue and deliver to some peace officer for service a warrant directing that such person be arrested and taken before a judge of the superior court for a hearing and examination on such charge. Such officer must thereupon arrest and detain such person until a hearing and examination can be had. At the time of the arrest a copy of said affidavit and warrant of arrest must be personally delivered to said person. Such affidavit and warrant of arrest must be substantially in the form provided by section 2168 of the political code for the arrest of a person charged with insanity. He must be taken before a judge of the superior court, to whom said affidavit and warrant of arrest must be delivered to be filed with the clerk. The judge must then inform him of the charge against him, and inform him of his rights to make a defense to such charge and produce any witnesses in relation thereto. The judge must by order fix such time and place for the hearing and examination in open court as will give a reasonable opportunity for the production and examination of witnesses. Such order must be entered in the minutes of the court by the clerk and a certified copy of the same served on such person. The judge may also order that notice of the arrest of such person and the hearing of the charge be served on such relatives of said person known to be residing in the county, as the court may deem necessary or proper.

The hearing and examination shall be had in compliance with the provisions of sections 2169 and 2170 of the political code. The judge, after such hearing and examination, if he believes the person is so far addicted to the intemperate use of narcotics or stimulants as to have lost the power of self-control, or is subject to dipsomania or inebriety, must make an order that he be confined in a hospital for the care and treatment of the insane, designated in such order, and the order must be accompanied by a written statement of the judge as to the financial condition of the patient and of the persons legally liable for his maintenance, as far as can be ascertained: *Provided*, That before a person shall be committed to a State hospital, satisfactory evidence shall be submitted to the trial judge showing that the person to be committed is not of bad repute or bad character, apart from his or her habit for which the commitment is made, and that there is reasonable ground for believing that the person, if committed, will be permanently benefited by treatment: *And provided, further*, That no person who has heretofore been committed under the provisions of this section as an intemperate user of narcotics, and who has been discharged or has escaped, shall be again committed to any State hospital unless permission for such recommitment be first obtained from the medical superintendent thereof. Such order and statement shall be in substantially the form provided by section 2171 of the political code for the commitment of insane persons. The court shall commit such person for a definite period, not to exceed two years, but provided that he may be paroled by the medical superintendent under the same rules and conditions that the insane are paroled: *And provided, further*, That the State commission in lunacy shall be given the same power to discharge any person committed under this act as contained in section 2189 of the political code, upon the recommendation of the hospital superintendent, when satisfied that such person will not receive substantial benefit from further hospital treatment. Such person shall be delivered to the State hospital for the insane to which he has been committed in compliance with the provisions of section 2172 of the political code, providing for the commitment and deliverance of an insane person.

**Births, Deaths, and Marriages—Registration of. (Chap. 378, Act May 19, 1915.)**

SECTION 1. The State registrar shall have charge of the registration of births, marriages, and deaths; shall prepare sample forms and blanks with instructions for obtaining and preserving such records and shall procure the faithful registration of the same in each primary registration district as constituted in section 3 of this act, and in the central bureau of vital statistics at the capital of the State. The said board shall be charged with the uniform and thorough enforcement of the law throughout the State, and shall promulgate any additional rules or regulations.

SEC. 2. The secretary of the State board of health shall be ex officio the State registrar of vital statistics and shall have full supervision and control over the central bureau of vital statistics which is hereby authorized to be established by said State board of health. There shall also be a competent vital statistician who shall be appointed by and shall serve during the pleasure of the State board of health and shall receive an annual salary at the rate of \$2,400. There shall also be a clerk to the State board of health as now provided by law who shall receive an annual salary of \$1,600 and who shall be appointed by and shall serve during the pleasure of the State board of health. Said board shall provide for such clerical and other assistance as may be necessary for the purposes of this act, all of whom shall serve during the pleasure of the board and whose salaries, excepting said clerk to the State board of health, shall be fixed by the State board of health.

All such salaries shall be paid in the same manner and at the same time as the salaries of State officers. As soon as practicable the custodian of the capitol shall provide for the bureau of vital statistics in the State capitol at Sacramento suitable offices, which shall be properly equipped with fireproof vault and filing cases for the permanent and safe preservation of all official records made and returned under this act.

SEC. 3. For the purposes of this act the State shall be divided into registration districts as follows: Each city and county, city and incorporated town, and each county exclusive of the portion included within cities and incorporated towns shall constitute a primary registration district.

SEC. 4. The recorder of each city and county or county and the clerk of each city and incorporated town shall be the local registrar in and for such primary registration district and shall perform all such duties of local registrar as hereinafter provided: *Provided, however,* That in cities having a freeholder's charter the health officer shall act as local registrar and perform all the duties thereof.

The refusal of a local health officer to perform the duties imposed upon him by this act shall be deemed a neglect of official duty and shall be sufficient ground for the removal of such officer pursuant to the provisions of section 772 of the Penal Code.

Each local registrar shall immediately appoint a deputy in writing, whose duty it shall be to act in his stead in case of his absence or disability, and such deputy shall in writing, accept such appointment and be subject to all rules and regulations governing local registrars, and when it appears necessary for the convenience of the people in any registration district the local registrar is hereby authorized, with the approval of the State registrar, to appoint one or more suitable persons to act as sub-registrars, who shall be authorized to receive certificates and to issue burial or removal permits in and for such portions of the district as may be designated, and each sub-registrar shall note, on each certificate, over his signature the date of filing and shall forthwith forward all certificates to the local registrar of the district, and in all cases before the third day of the following month: *Provided,* That each subregistrar shall be subject to the supervision and control of the State registrar and may be by him removed for neglect or failure to perform his duty in accordance with the provisions of this act or the rules and regulations of the State registrar and shall be subject to the same penalties for neglect of duty as the local registrar.

SEC. 5. The body of any person whose death occurs in this State, or which shall be found dead therein or which shall be brought in from outside the State, shall not be interred, deposited in a vault or tomb, cremated, disinterred, or otherwise disposed of or removed from or into any registration district or be temporarily held pending further disposition more than 72 hours after death unless a permit for burial, removal, or other disposition thereof shall have been properly issued by the local registrar of the registration district in which the death occurred or the body was found: *Provided*, That nothing in this act shall be construed to prevent an undertaker from removing a body from contiguous registration districts in an undertaker's conveyance for the purpose of preparing said body for burial or shipment. A removal permit must be secured within 48 hours and before embalming the body.

No body where death occurred from any disease held by the State board of health to be infectious, contagious, or communicable and dangerous to the public health shall be removed without first securing a removal permit in the manner provided in section 19 of this act. And no such burial or removal permit shall be issued by any registrar until, wherever practicable, a complete and satisfactory certificate of death has been filed with him as hereinafter provided: *Provided*, That when a dead body is transported from outside the State into a registration district in California for burial the transit or removal permit, issued in accordance with the law and health regulations of the place where the death occurred, shall be accepted by the local registrar of the district into which the body has been transported for burial or other disposition as a basis upon which he may issue a local burial permit when such removal or transit permit shall have indorsed thereon the written approval of the State registrar or when the State registrar otherwise officially notifies the local registrar of his approval he shall note upon the face of the burial permit the fact that it was a body shipped in for interment, and give the actual place of death; and no local registrar shall receive any fee for the issuance of burial permits under this act other than the compensation provided in section 20.

SEC. 6. A stillborn child shall be registered as a birth and also as a death, and separate certificates of both the birth and the death shall be filed with the local registrar in the usual form and manner, the certificate of birth to contain, in place of the name of the child, the word "stillbirth": *Provided*, That a certificate of birth and a certificate of death shall not be required for a child that has not advanced to the fifth month of uterogestation.

The medical certificate of the cause of death shall be signed by the attending physician, if any, and shall state the cause of death as "stillborn," with the cause of the stillbirth, if known, whether a premature birth, and, if born prematurely, the period of uterogestation in months, if known; and a burial or removal permit of the prescribed form shall be required. Midwives shall not sign certificates of death for stillborn children, but such cases and stillbirths occurring without attendance of either physician or midwife shall be treated as deaths without medical attendance, as provided for in section 8 of this act.

SEC. 7. The certificate of death shall contain the following items, which are hereby declared to be necessary for the legal, social, and sanitary purposes subserved by registration records:

(1) Place of death, including State, county, township, village, or city. If in a city, the ward, street, and house number; if in a hospital or other institution, the name of the same to be given instead of the street and house number. If in an industrial camp, the name of the camp to be given.

(2) Full name of decedent. If an unnamed child, the surname preceded by "unnamed."

(3) Sex.

(4) Color or race—as white, black, mulatto (or other negro descent), Indian, Chinese, Japanese, or other.

- (5) Conjugal condition—as single, married, widowed, or divorced.
- (5a) Husband of .....
- (5b) Wife of .....
- (6) Date of birth, including the year, month, and day.
- (7) Age, in years, months, and days. If less than one day, the hours or minutes.
- (8) Occupation. The occupation to be reported of any person, male or female, who had any remunerative employment with the statement of (a) trade, profession, or particular kind of work; (b) general nature of industry, business, or establishment in which employed (or employer).
- (9) Birthplace; at least State or foreign country, if known.
- (10) Name of father.
- (11) Birthplace of father; at least State or foreign country, if known.
- (12) Maiden name of mother.
- (13) Birthplace of mother; at least State or foreign country, if known.
- (14) Signature and address of informant.
- (15) Official signature of registrar, with the date when certificate was filed, and registered number.
- (16) Date of death, year, month, and day.
- (17) Certification as to medical attendance on decedent, fact and time of death, time last seen alive, and the cause of death, with contributory (secondary) cause of complication, if any, and duration of each, and whether attributed to dangerous or insanitary conditions of employment; signature and address of physician or official making the medical certificate.
- (18) Length of residence (for inmates of hospitals and other institutions; transients or recent residents) at place of death and in California, together with the place where disease was contracted if not at the place of death, and former or usual place of residence.
- (19) Place of burial or removal; date of burial.
- (20) Signature and address of undertaker or person acting as such.

The personal and statistical particulars (items 1 to 13) shall be authenticated by the signature of the informant who may be any competent person acquainted with the facts.

The statement of facts relating to the disposition of the body shall be signed by the undertaker or person acting as such.

The medical certificate shall be made and signed by the physician, if any, last in attendance on the deceased, who shall specify the time in attendance, the time he last saw the deceased alive, and the hour of the day at which death occurred. And he shall further state the cause of death, so as to show the course of disease or sequence of causes resulting in the death, giving first the name of the disease causing death (primary cause) and the contributory (secondary) cause, if any, and the duration of each. Indefinite and unsatisfactory terms, denoting only symptoms of disease or conditions resulting from disease, will not be held sufficient for the issuance of a burial or removal permit; and any certificate containing only such terms, as defined by the State registrar, shall be returned to the physician or person making the medical certificate for correction and more definite statement. Causes of death which may be the result of either disease or violence shall be carefully defined; and if from violence, the means of injury shall be stated, and whether (probably) accidental, suicidal, or homicidal. And for deaths of nonresidents, transients, or recent residents in hospitals or institutions, the physician shall supply the information required under this head (item 18), if he is able to do so, and shall state where, in his opinion, the disease was contracted.

SEC. 8. In case of any death occurring without medical attendance or continued absence of the attending physician it shall be the duty of the undertaker to notify the coroner or other proper official of such death for investigation and certification.

And the coroner or other proper officer whose duty it is to hold an inquest on the body of any deceased person, and to make the certificate of death required for a burial permit, shall state in his certificate the name of the disease causing death, or if from external causes (1) the means of death; and (2) whether (probably) accidental, suicidal, or homicidal; and shall in any case furnish such information as may be required by the State registrar in order properly to classify the death. In every case the certificate must contain as many facts required by this act as can be ascertained.

SEC. 9. The undertaker, or person acting as undertaker, shall file the certificate of death with the local registrar of the district in which the death occurred and obtain a burial or removal permit prior to any disposition of the body. He shall obtain the required personal and statistical particulars from the person best qualified to supply them, over the signature and address of his informant. He shall then present the certificate to the attending physician, if any, or to the coroner or other proper official, either directly or as directed by the local registrar, for the medical certificate of the cause of death and other particulars necessary to complete the record, as specified in sections 7 and 8.

And he shall then state the facts required relative to the date and place of burial or removal, over his signature and with his address, and present the completed certificate to the local registrar in order to obtain a permit for burial, removal, or other disposition of the body. The undertaker shall deliver the burial permit to the person in charge of the place of burial before interring or otherwise disposing of the body; or shall attach the removal permit to the box containing the corpse when shipped by any transportation company; said permit to accompany the corpse to its destination, where, if within the State of California, it shall be delivered to the person in charge of the place of burial.

Every person, firm, or corporation selling a casket shall keep a record showing the name of the purchaser, purchaser's post-office address, name of deceased, date of death, and place of death of deceased, which record shall be open to inspection of the State registrar at all times. On the first day of each month the person, firm, or corporation, selling caskets shall report to the State registrar each sale for the preceding month on a blank provided for that purpose: *Provided, however,* That no person, firm, or corporation selling caskets to dealers or undertakers only shall be required to keep such record, nor shall such report be required from undertakers when they have direct charge of the disposition of a dead body.

Every person, firm, or corporation selling a casket at retail, and not having charge of the disposition of the body, shall inclose within the casket a notice furnished by the State registrar calling attention to the requirements of the law, a blank certificate of death, and the rules and regulations of the State board of health concerning the burial or other disposition of a dead body.

SEC. 10. If the interment, or other disposition of the body is to be made within the State, the wording of the burial or removal permit may be limited to a statement by the registrar, and over his signature, that a satisfactory certificate of death having been filed with him, as required by law, permission is granted to inter, remove, or dispose otherwise of the body, stating the name, age, sex, cause of death, and other necessary details upon the form prescribed by the State registrar.

SEC. 11. No person in charge of any premises on which interments are made shall inter or permit the interment or other disposition of any body unless it is accompanied by a burial, removal, or transit permit, as herein provided. And such person shall indorse upon the permit the date of interment, over his signature, and shall return all permits so indorsed to the local registrar of his district within 10 days from the date of interment. He shall keep a record of all bodies interred or otherwise disposed of on the premises under his charge, in each case stating the name of each deceased person, place of death, date of burial or disposal, and name and address of the undertaker; which record shall at all times be open to official inspection: *Provided, That*

the undertaker or person acting as such, when burying a body in a cemetery or burial ground having no person in charge, shall sign the burial or removal permit, giving the date of burial, and shall write across the face of the permit the words "No person in charge," and file the burial or removal permit within 10 days with the registrar of the district in which the cemetery is located.

SEC. 12. The birth of each and every child born in this State shall be registered as hereinafter provided.

SEC. 13. Within 36 hours after the date of each birth there shall be filed with the local registrar of the district in which the birth occurred a certificate of such birth, which certificate shall be upon the form adopted by the State board of health with a view to procuring a full and accurate report with respect to each item of information enumerated in section 14 of this act.

In sparsely settled districts or where there is no direct mail communication with the county seat a reasonable time shall be fixed by the local registrar.

In each case where a physician, or midwife, or person acting as midwife, was in attendance upon the birth, it shall be the duty of such physician to file in accordance herewith the certificate herein contemplated.

In case no physician was in attendance it shall be the duty of the midwife or person acting as midwife to file such certificate.

In every case it shall be the duty of the father or mother of the child, the householder or owner of the premises where the birth occurred, or the manager or superintendent of the public or private institution where the birth occurred, each in the order named, within 10 days after the date of such birth, to report to the local registrar the fact of such birth.

In such case and in case the physician, midwife, or person acting as midwife, in attendance upon the birth is unable, by diligent inquiry, to obtain any item or items of information contemplated in section 14 of this act, it shall then be the duty of the local registrar to secure from the person so reporting, or from any other person having the required knowledge, such information as will enable him to prepare the certificate of birth herein contemplated, and it shall be the duty of the person reporting the birth or who may be interrogated in relation thereto to answer correctly and to the best of his knowledge all questions put to him by the local registrar which may be calculated to elicit any information needed to make a complete record of the birth as contemplated by said section 14, and it shall be the duty of the informant as to any statement made in accordance herewith to verify such statement by his signature, when requested so to do by the local registrar.

SEC. 14. The certificate of birth shall contain the following items, which are hereby declared necessary for the legal, social, and sanitary purposes subserved by registration records:

(1) Place of birth, including State, county, township or town, village or city. If in a city, the ward, street, and house number; if in a hospital or other institution, the name of the same to be given, instead of the street and house number.

(2) Full name of child. If the child dies without a name, before the certificate is filed, enter the words "died unnamed." If the living child has not yet been named at the date of filing certificate of birth, the space for "full name of child" is to be left blank, to be filled out subsequently by a supplemental report, as hereinafter provided.

(3) Sex of child.

(4) Whether a twin, triplet, or other plural birth. A separate certificate shall be required for each child in case of plural births.

(5) For plural births, number of each child in order of birth.

(6) Date of birth, including the year, month, and day.

(7) Full name of father.

(8) Residence of father.

- (9) Color or race of father.
- (10) Age of father at last birthday, in years.
- (11) Birthplace of father; at least State or foreign country, if known.
- (12) Occupation of father. The occupation to be reported if engaged in any remunerative employment, with the statement of (a) trade, profession, or particular kind of work; (b) general nature of industry, business, or establishment in which employed (or employer).
- (13) Maiden name of mother.
- (14) Residence of mother.
- (15) Color or race of mother.
- (16) Age of mother at last birthday, in years.
- (17) Birthplace of mother; at least State or foreign country, if known.
- (18) Occupation of mother. The occupation to be reported if engaged in any remunerative employment, with the statement of (a) trade, profession, or particular kind of work; (b) general nature of industry, business, or establishment in which employed (or employer).
- (19) Number of children born to this mother, including present birth.
- (20) Number of children of this mother living.
- (21) The certification of attending physician or midwife as to attendance at birth, including statement of year, month, day (as given in item 7), and hour of birth, and whether the child was born alive or stillborn. This certification shall be signed by the attending physician or midwife, with date of signature and address; if there is not physician or midwife in attendance, then by the father or mother of the child, householder, owner of the premises, or manager or superintendent of public or private institution where the birth occurred, or other competent person, whose duty it shall be to notify the local registrar of such birth, as required by section 13 of this act.
- (22) Exact date of filing in office of local registrar, attested by his official signature, and registered number of birth, as hereinafter provided.

SEC. 15. When any certificate of birth of a living child is presented without the statement of the given name, then the local registrar shall make out and deliver to the parents of the child a special blank for the supplemental report of the given name of the child, which shall be filled out as directed, and returned to the local registrar as soon as the child shall have been named.

SEC. 16. That every physician, midwife, and undertaker shall, without delay, register his or her name, address, and occupation with the local registrar of the district in which he or she resides, or may hereafter establish a residence; and shall thereupon be supplied by the local registrar with a copy of this act, together with such rules and regulations as may be prepared by the State registrar relative to its enforcement. Within 30 days after the close of each calendar year each local registrar shall make a return to the State registrar of all physicians, midwives, or undertakers who have been registered in his district during the whole or any part of the preceding calendar year: *Provided*, That no fee or other compensation shall be charged by local registrars to physicians, midwives, or undertakers for registering their names under this section or making returns thereof to the State registrar.

SEC. 17. All superintendents or managers, or other persons in charge of hospitals, almshouses, lying-in or other institutions, public or private, to which persons resort for treatment of diseases, confinement, or are committed by process of law, shall make a record of all the personal and statistical particulars relative to the inmates in their institutions at the date of approval of this act, which are required in the forms of the certificates provided for by this act, as directed by the State registrar; and thereafter such record shall be, by them, made for all future inmates at the time of their admittance. And in case of persons admitted or committed for treatment of disease, the physician in charge shall specify for entry in the record, the nature of the disease, and where, in his opinion, it was contracted. The personal particulars and informa-

tion required by this section shall be obtained from the individual himself if it is practicable to do so; and when they can not be so obtained, they shall be obtained in as complete a manner as possible from relatives, friends, or other persons acquainted with the facts.

SEC. 18. The State registrar shall prepare sample forms and blanks for use in registering, recording, and preserving the returns, or in otherwise carrying out the purposes of this act; and shall prepare and issue such detailed instructions as may be required to procure the uniform observance of its provisions and the maintenance of a perfect system of registration; and no other forms or blanks shall be used than those prescribed by the State registrar. Printed blanks in the forms prescribed by the State registrar for all returns shall be furnished in sufficient quantities to each recorder or health officer by the board of supervisors of each county or city and county. He shall carefully examine the certificates received monthly from the local registrars, and if any such are incomplete or unsatisfactory he shall require such further information to be supplied may be necessary to make the record complete and satisfactory. And all physicians, midwives, informants, or undertakers, and all other persons having knowledge of the facts are hereby required to supply, upon the forms provided or upon the original certificate, such information as they may possess regarding any birth or death upon demand of the State registrar, in person, by mail, or through the local registrar: *Provided*, That no certificate of birth or death, after its acceptance for registration by the local registrar, and no other record made in pursuance of this act shall be altered or changed in any respect, except where supplemental information required for statistical purposes is furnished.

(a) Whenever it may be alleged that the facts are not correctly stated in any certificate of death already registered, the local registrar shall require an affidavit under oath to be made by the person asserting the fact, to be supported by the affidavit of one other credible person having knowledge of the facts, setting forth the changes necessary to make the record correct. Having received such affidavits, the local registrar shall file them, together with an amended certificate, and he shall note the fact of the amendment with its date on the margin of the otherwise unaltered original certificate. He shall transmit the original certificate with the affidavits and amended certificate attached when making his regular monthly returns to the State registrar. He shall also retain copies for his files. If the correction relates to a certificate previously returned to the State registrar the local registrar shall forthwith transmit the affidavits to the State registrar. If the correction is first made in the State bureau of vital statistics the State registrar shall transmit a certified copy of the amended certificate to the local registrar.

The State registrar shall further arrange, bind, and permanently preserve the certificates in a systematic manner and shall prepare and maintain a comprehensive and continuous card index of all births and deaths registered; said index to be arranged alphabetically, in the case of deaths, by the names of decedents, and in the case of births, by the names of fathers and maiden names of mothers.

He shall inform all registrars what diseases are to be considered infectious, contagious, or communicable and dangerous to the public health, as decided by the State board of health, in order that when deaths occur from such diseases proper precautions may be taken to prevent their spread. If any cemetery company or association, or any church or historical society or association, or any other company, society, or association, or any individual is in possession of any record of births or deaths which may be of value in establishing the genealogy of any resident of his State, such company, society, association, or individual may file such record or a duly authenticated transcript thereof with the State registrar, and it shall be the duty of the State registrar to preserve such record or transcript and to make a record and index thereof in such form as to facilitate the finding of any information contained therein. Such record and index shall be open to inspection by the public, subject



to such reasonable conditions as the State registrar may prescribe. If any person desires a transcript of any record filed in accordance herewith, the State registrar shall furnish the same upon application, together with a certificate that it is a true copy of such record as filed in his office.

SEC. 19. Each local registrar shall supply blank forms of certificates to such persons as require them. Each local registrar shall carefully examine each certificate of death when presented for record in order to ascertain whether or not it has been made out in accordance with the provisions of this act and the instructions of the State registrar; and if any certificate of death is incomplete or unsatisfactory, it shall be his duty to call attention to the defects in the return, and to withhold the burial or removal permit until such defects are corrected.

All certificates, either of birth or of death, shall be written legibly, in durable black ink, and no certificate shall be held to be complete and correct that does not supply all of the items of information called for therein, or satisfactorily account for their omission. If the certificate of death is properly executed and complete, he shall then issue a permit for removal, burial, or other disposition of the body to the undertaker: *Provided*, That in case the death occurred from some disease which is held by the State board of health to be infectious, contagious, or communicable and dangerous to the public health, no permit for the removal or other disposition of the body shall be issued by the registrar, except under such conditions as may be prescribed by the State and local boards of health. If a certificate of birth is incomplete, the local registrar shall immediately notify the informant, and require him to supply the missing items of information if they can be obtained. He shall number consecutively the certificates of birth and death, in two separate series, beginning with No. 1 for the first birth and the first death occurring in each calendar year, and sign his name as registrar in attest of the date of filing in his office. He shall also make a complete and accurate copy of each birth and each death certificate registered by him in a record book containing forms identical with the original certificates and to be preserved permanently in his office as the local record. And he shall, on the 5th day of each month, transmit to the State registrar all original certificates registered by him for the preceding month. And if no births or no deaths occurred in any month, he shall, on the 5th day of the following month report that fact to the State registrar on a blank provided for such purpose.

SEC. 20. Each local registrar shall be paid the sum of 25 cents for each birth certificate and each death certificate properly and completely made out and registered with him, and correctly recorded and promptly returned by him to the State registrar, as required by this act, out of which fees he shall pay the subregistrar the sum of 15 cents in cases where the certificate is registered with the subregistrar. And in a case of no births or no deaths were registered during any month, the local registrar shall be entitled to be paid the sum of 25 cents for each report to that effect, but only if such report be made promptly as required by this act. All amounts payable to a local registrar under the provisions of this section shall be paid by the treasurer of the county in which the registration district is located, upon certification by the State registrar. And the State registrar shall quarterly certify to the treasurers of the several counties the number of births and deaths properly registered, with the names of the local registrars and the amounts due each at the rates fixed herein.

SEC. 21. The State or local registrar shall forthwith upon request supply to any applicant a certified copy of the record of any birth or death registered under provisions of this act, for the making and certification of which he shall be entitled to a fee of 50 cents, to be paid by the applicant. And any such copy of the record of a birth or death, when properly certified by the State or local registrar, shall be prima facie evidence in all courts and places of the facts therein stated.

For any search of the files and records when no certified copy is made the State registrar or local registrar shall be entitled to a fee of 50 cents for each hour or fractional hour of time of search, such fee to be paid by the applicant, and the State registrar

shall keep a true and correct account of all fees by him received under these provisions, and such money so received by the State registrar shall be deposited with the State treasurer, who shall credit the amount to the fund provided and to be used for the payment of the traveling and contingent expenses of the State board of health, and the money so collected by the local registrar shall be paid by him into the county or city treasury, as the case may be; *Provided*, That the local registrar shall, upon request of any parent or guardian, supply, without fee, a certificate limited to a statement as to the date of birth of any child when the same shall be necessary for admission to school, or for the purpose of securing employment; *And, provided further*, That the United States census bureau may obtain, without expense to the State, transcripts of births and deaths without payment of the fees herein prescribed.

(b) If, upon such search, it shall develop that for any cause any birth or death occurring in this State was not registered in conformity with the provisions of law in effect at the time when such birth or death occurred, and person beneficially interested in establishing of record the fact of such birth or death may petition the superior court of the county in which such birth or death is alleged to have occurred for an order judicially establishing the fact of such birth or death.

Such petition shall be verified and shall contain all the data necessary to enable the court, upon hearing the same, to determine the fact of such birth or death upon the proofs adduced in behalf of the petitioner at the hearing thereof. A copy of such petition shall be served upon the local registrar of vital statistics, and also upon the district attorney of the county in which such birth or death is alleged to have occurred, and either of said officials shall have the right in his discretion to appear at such hearing and oppose the making of such order. Such hearing shall be had at such time as the court may appoint, not less than 10 days subsequent to the date of filing such petition, and notice thereof must be given by publication for the same time and in the same manner required by law to be given prior to the hearing of the petition for the admission of probate of any will, or the issuance of letters testamentary or of administration thereon.

If, upon such hearing, the proofs of the allegations of the petition are established, to the satisfaction of the court, the court may make an order determining that such birth or such death did in fact occur in such county and at the time shown by the proofs adduced upon such hearing. Certified copies of such order shall be delivered to the local registrar of vital statistics, and to the State registrar of vital statistics.

SEC. 22. Any person who, for himself or as an officer, agent, or employee of any other person, or of any corporation or partnership (a) shall inter, cremate, or otherwise finally dispose of the dead body of a human being, or permit the same to be done, or shall remove said body from the primary registration district in which the death occurred or the body was found, except as provided in section 5 of this act without the authority of a burial or removal permit issued by the local registrar of the district in which the death occurred or in which the body was found; or (b) shall refuse or fail to furnish correctly any information in his possession, or shall furnish false information affecting any certificate or record, required by this act; or (c) shall willfully alter, otherwise than is provided by section 18 of this act, or shall falsify any certificate of birth or death or any record established by this act; or (d) being required by this act to fill out a certificate of birth or death and file the same with the local registrar, or deliver it, upon request, to any person charged with the duty of filing the same, shall fail, neglect, or refuse to perform such duty in the manner required by this act; or (e) being a local registrar, deputy registrar, or subregistrar, shall fail, neglect, or refuse to perform his duty as required by this act and by the instructions and direction of the State registrar thereunder shall be deemed guilty of a misdemeanor and upon conviction thereof shall for the first offense be fined not less than \$5 nor more than \$50 and for each subsequent offense not less than \$10 nor more than \$100, or be impris-

oned in the county jail not more than 60 days, or be both fined and imprisoned in the discretion of the court.

SEC. 23. Under the supervision and direction of the State registrar each local registrar is hereby charged with the strict and thorough enforcement of the provisions of this act in his registration district, under the supervision and direction of the State registrar. He shall make an immediate report to the State registrar of any violation of this law coming to his knowledge, by observation or upon complaint of any person or otherwise.

The State registrar is hereby charged with the thorough and efficient execution of the provisions of this act in every part of the State and is hereby granted supervisory power over local registrars, deputy local registrars, and subregistrars, to the end that all of its requirements shall be uniformly complied with. The State registrar, either personally or by an accredited representative, shall have authority to investigate cases of irregularity or violation of law. When he shall deem it necessary, he shall report cases of violation of any of the provisions of this act to the prosecuting attorney of the county, with a statement of the facts and circumstances; and when any such case is reported to him by the State registrar the prosecuting attorney shall forthwith initiate and promptly follow up the necessary court proceedings against the person or corporation responsible for the alleged violation of law. And upon request of the State registrar the attorney general shall assist in the enforcement of the provisions of this act.

SEC. 24. All acts and parts of acts in conflict with this act are hereby repealed.

**Hotels and Lodging Houses—Cleanliness—Vermin—Ventilation—Bedding—Towels.**  
(Chap. 119, Act Apr. 26, 1915.)

SECTION 1. Every building or structure, kept as, used as, maintained as, or advertised as, or held out to the public to be, a place where sleeping or rooming accommodations are furnished to the public, or any part of the public, whether with or without meals, shall, for the purpose of this act, be deemed to be a hotel, and whenever the word "hotel" shall occur in this act, it shall be deemed to include lodging house and rooming house.

SEC. 2. All bedding, bedclothes, or bedcovering, including mattresses, quilts, blankets, sheets, pillows, or comforters, used in any hotel in this State must be kept clean and free from all filth or dirt: *Provided*, That no bedding, bedclothes, or bedcovering, including mattresses, quilts, blankets, sheets, pillows, or comforters, shall be used which is worn out or unfit for use by human beings according to the true intent and meaning of this act.

SEC. 3. Any room in any hotel in this State which is or shall be infected with vermin or bedbugs or similar things, shall be thoroughly fumigated, disinfected, and renovated until such vermin or bedbugs or other similar things are entirely exterminated.

SEC. 4. Every room in any hotel in this State used for sleeping purposes must be kept free from any and every kind of dirt or filth of whatsoever nature, and the walls, floors, ceiling, and doors of every such room shall be kept free from dirt.

SEC. 5. Every room in any hotel, used for sleeping purposes, shall have devices, such as a window or transom, so constructed, as to allow for proper and a sufficient amount of ventilation in each such room.

SEC. 6. Every bed, for the accommodation of any person or persons or guests, kept or used in any hotel in this State, must be provided with a sufficient supply of clean bedding and must be provided with sheets at least 81 inches wide and 98 inches long: *Provided, however*, That on every single bed there shall be sheets at least 50 inches wide and 98 inches long. Every bed shall be supplied with clean sheets and pillow slips as often as assigned to a different person.

SEC. 7. Every hotel within this State having a public washstand or washbowl, where different persons gather to wash themselves, must keep a sufficient supply of clean individual towels for the use of such persons within easy access of or to such persons and in plain sight and view.

SEC. 8. Every owner, manager, lessee, or other person in charge of any hotel in this State who shall fail to comply with this act, whether through the acts of his agents or employees or otherwise, shall be guilty of a misdemeanor, and upon conviction shall be fined not more than \$200 or shall be imprisoned for not more than three months, and every day that any hotel shall be kept in violation of any of the provisions of this act such keeping shall constitute a separate offense.

SEC. 9. It shall be the duty of the department of health of every incorporated town or city and every county or city and county to enforce the provisions of this act.

SEC. 10. All acts or parts of acts in conflict herewith are hereby repealed.

SEC. 11. This act shall be in effect on and after October 1, 1915.

SEC. 12. Nothing in this act shall be construed to include cots or bunks where the same are used in places other than in hotels.

**Tenement Houses—Construction, Maintenance, and Occupation. (Chap. 572, Act May 29, 1915.)**

SECTION 1. An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, approved April 16, 1909, statutes of California of 1909, page 948," and approved April 10, 1911, statutes of California of 1911, page 860, and approved June 13, 1913,<sup>1</sup> statutes of California, 1913, page 737, is hereby amended to read as follows:

SECTION 1. This act shall be known as the tenement-house act, and its provisions shall apply to all incorporated towns, incorporated cities, cities and counties in the State of California. It shall be the duty of the department of health of incorporated towns, incorporated cities, and cities and counties to enforce all the provisions of this act: *Provided, however,* That incorporated towns, incorporated cities, cities and counties in the State of California shall have and are hereby given authority to designate and charge by ordinance any other department than the department of health with the enforcement of this act or any portion thereof: *Provided,* That the department of health of incorporated towns, incorporated cities, and cities and counties shall always have supervision over and shall enforce the provisions of this act relating to sanitation, ventilation, and health in all tenement buildings not in course of actual construction or alteration, and shall issue the permit hereinafter mentioned, entitled "Permit of occupancy upon completion of construction." In the event that an incorporated town, incorporated city, or city and county shall by municipal ordinance designate another and different department than the department of health to enforce the provisions of this act or any of them which by the provisions of this act may by such ordinance be transferred to the control of another department than the department of health, all powers not so transferred shall be and remain in the department of health: *Provided, however,* That the commission of immigration and housing of California shall enforce the provisions of this act which do not deal with actual construction of tenement houses in all incorporated towns, incorporated cities, cities and counties in the State of California whenever said commission finds or discovers a violation or violations of the provisions of this act and notifies the local department of health in writing of such violation or violations and said local department of health does not, within 30 days thereafter, enforce this act in the instances specified in said written notice:

<sup>1</sup> Reprint No. 264 from the Public Health Reports, p. 88.

*Provided, however,* That the said commission of immigration and housing of California shall enforce the act only in the instances specified in said written notice.

SEC. 2. For the purpose of this act certain words and phrases are defined as follows:

A "tenement house" is any house or building, or portion thereof, of more than one story, which is designed, built, rented, leased, let, or hired out, to be occupied or is occupied as the home or residence of four families or more living independently of each other, and doing their cooking upon the premises, or by three families so living and cooking, and having a common right in the halls, stairways, yards, water-closets, or some or any of them.

*Provided,* That a building of not more than two stories in height, which is designed, built, rented, leased, let, or hired out, to be occupied or is occupied as the home or residence of not more than four families living independently of each other, and so constructed that each section is arranged to be occupied as the home or residence of a separate family and each section having an entirely independent and separate entrance and stairway from the street or from an outside vestibule on the level of the first-floor of said building and with no room, hall, bath room, water-closet, kitchen, or other convenience used in common by two or more families occupying said building, shall not come within the definition of a tenement house contained in this act.

An "apartment" in a tenement house is a room or a suite of rooms which is occupied, or is intended or designed to be occupied as a family domicile.

A "yard" is an open unoccupied space on the same lot with a tenement house, situated in the rear of said tenement house: *Provided,* That in case of a corner lot the yard may be placed in the rear of either frontage.

A "court" is an open, unoccupied space, other than a yard, on the same lot with a tenement house. A court not extending to the street or yard is an inner court. A court extending to the street or yard and bounded on three sides by a tenement house on the same lot is an outer court. If it extends to the street it is a street court. If it extends to the yard it is a yard court. If it extends from the street to the yard it is a street-to-yard court. A court bounded on one side and both ends by a tenement house and on the remaining side by a lot line is a "lot-line" court.

A "court" bounded on one side and one end by a tenement house and on the remaining side by lot line and the remaining end open to the street or yard is a lot-line outer court.

A "shaft" includes exterior and interior shafts, whether for air, light, elevator, dumbwaiter, or any other purpose. A vent shaft is one used solely to ventilate or light a water-closet compartment or bathroom.

A "public hall" is a hall, corridor, or passageway not within an apartment.

A "private hall" is a hall, passageway, corridor, or vestibule within an apartment.

A "stair hall" includes the stairs, stair landings, and those portions of the public halls through which it is necessary to pass in going between the entrance hall and roof.

A "basement" is a story partly below the level of the curb, the ceiling of which is not less than 7 feet above the curb level.

A "cellar" is any story partly or wholly below the level of the curb, the ceiling of which is less than 7 feet above the curb level.

A fireproof tenement house is one the walls of which are constructed of brick, stone, iron, or other incombustible material, and in which there are no wooden beams or lintels, and in which the floors, roofs, stair halls, and public halls are built entirely of brick, stone, iron, or other hard incombustible material, and in which no woodwork or other inflammable material is used in any of the partitions, furrings, or ceilings. But this definition shall not be construed as prohibiting elsewhere than in the stair halls or entrance halls, the use of wooden flooring on top of the fireproof floors or the use of wooden sleepers, nor as prohibiting wooden handrails, and hardwood treads.

A "wooden tenement" is a tenement of which the exterior walls or a portion thereof are of wood. Wooden buildings covered with metal, plaster, terra cotta, or veneered with masonry are wooden structures.

For the purpose of this act the greatest horizontal linear dimension of any building shall be its length and the next greatest horizontal linear dimension its width.

The height of buildings shall be measured from the curb level at the center of the main front of the building to the top of the highest point of the roof beams in case of flat roofs, and for high-pitched roofs the average height of the gable shall be taken as the highest point of the building.

For a building erected upon a street corner, the measurements shall be taken from the curb level opposite the center of either front.

When the ground upon which the walls of a structure are built is above the street level, the average level for the ground adjoining the walls may be taken instead of the curb level for the height of such structure.

SEC. 3. A building not erected for use as a tenement house, if hereafter altered or converted to such use, shall thereupon become subject to all of the provisions of this act affecting tenement houses hereafter erected.

SEC. 4. No tenement house shall at any time be altered so as to be in violation of any provision of this act. If any tenement house or any part thereof be erected, altered, or occupied contrary to law, such tenement house shall be deemed an unlawful structure, and the department of health or the department charged with the enforcement of this act may cause such building to be vacated, and such building shall not again be occupied until it or its occupation, as the case may be, has been made to conform with the law.

SEC. 5. No tenement house hereafter erected shall occupy more than 90 per cent of a corner lot or more than 75 per cent of any other lot, except as otherwise provided in this act: *Provided*, That the space occupied by open iron fire escapes erected and constructed according to law shall not be deemed a part of the lot occupied, but that the space occupied by fireproof stairs, and by vent shafts 32 square feet or less in area, shall be considered as part of the lot occupied. For the purposes of this section the measurements may be taken at the level of the second tier of beams (the second floor level), except where rooms on the ground floor are to be used for sleeping apartments.

SEC. 6. By corner lot is meant a lot situated at the junction of two streets, or of a street and public alley or other public thoroughfare or public park, not less than 16 feet in width. Any portion of the width of such lot distant more than 50 feet from such junction shall not be regarded as part of a corner lot, but shall be subject to the provisions of this act respecting other than corner lots. Where, in any corner lot, the two frontages are of unequal length, either street frontage may be taken as the width of the lot. Street frontage alone and not alley frontage shall be considered in determining such lesser frontage.

SEC. 7. The height of no tenement house hereafter erected shall by more than one-half exceed the width of the widest street upon which it stands.

SEC. 8. Behind every tenement house hereafter erected there shall be a yard extending across the entire width of the lot and at every point open from the ground to the sky, unobstructed, except that open iron fire escapes may project not over 4 feet from the rear line of the house. The depth of said yard, measured from the extreme rear wall of the house toward the rear line of the lot, shall be as provided in the following sections:

SEC. 9. Except upon a corner lot, as provided in section 10, or upon a lot running through from street to street, or street to public alley, or public park, as provided in section 11, the depth of the yard behind every tenement house hereafter erected 60 feet in height shall not be less than 12 feet in every part. Said yard shall be increased in depth 2 feet for every additional 12 feet in height of the building or fraction thereof,

and may be decreased in depth 1 foot for every 12 feet in height of the building less than 60 feet; but it shall never be less than 10 feet in depth in every part.

In the event that two tenement houses or a tenement house and another structure of more than one story in height are constructed or erected upon the same lot, then and in that event the full yard space as set forth in this section shall be provided for each of such buildings. In no case shall two buildings of more than one story in height abut upon the yard of a width as herein provided for a single tenement house.

To determine the depth of yard as described in this section, the measurement shall be taken of the rear wall of such tenement house abutting on said yard and from the top of such wall to the level of the floor of the yard at such rear wall.

SEC. 10. The depth of the yard behind every tenement house hereafter erected upon a corner lot shall be not less than 10 feet in every part and at every point open and unobstructed from the level of the second tier of beams (the second floor level): *Provided*, That where any such lot is less than 100 feet in depth the depth of the yard be not less than 10 per centum of the greatest depth of such lot, but shall never be less than 5 feet in every part, nor less than the minimum width of an outer court on the lot line as prescribed by this act. If rooms on the ground floor are used as sleeping apartments, the yard shall be taken from the ground up. When a corner lot is more than 50 feet in width, the yard for that portion in excess of 50 feet shall conform to the provisions of section 9 of this act.

SEC. 11. Whenever a tenement house is hereafter erected upon a lot which runs through from one street to another street or public alley or public park and said lot is not more than 150 feet in depth one-half of the width of the street or alley upon which the yard abuts may be included in the depth of the yard required by sections 9 and 10, but said one-half not to exceed in width the depth of the yard for such lot provided in sections 9 and 10: *Provided*, That on such lot no tenement house hereafter erected shall occupy more than 90 per centum of a corner lot or more than 75 per centum of any other lot.

One-half the width of the rear street or public alley or public park immediately behind said lot may be included in the portion of lot that is left uncovered in computing the percentage: *Provided*, That whenever said one-half the width of said rear street or public alley or public park equals or exceeds the depth of yard required in section 10, if the lot be a corner lot, or in section 9 if the lot be not a corner lot, only such portion of such street, or public alley, or public park, may be included in computing the percentage to be left uncovered as will equal the depth of yard required for said lot.

When one-half the width of such rear street, or public alley, or public park is less than the depth of the yard required for such lot by the provisions of sections 9 and 10, it may be included in computing the percentage of the lot to remain uncovered.

If a lot is surrounded upon its four sides by streets or streets and public alleys 20 feet or more wide or public parks over 24 feet wide, the provisions relating to yards in sections 8, 9, 10, and 11 need not be complied with, provided that the tenement house to be constructed on such lot does not occupy more than 75 per centum of the lot and contains an outer court at least 80 feet deep and of a width twice as great as the depth prescribed for yards in section 9, and open to one of the surrounding streets, public alleys, or public parks: *Provided*, That said outer court shall not be required to be of a depth which shall leave less than 50 feet between the rear line of said court and the line of said lot immediately behind said court.

SEC. 12. No court or vent shaft of a tenement house hereafter erected shall be covered by a roof or skylight, but every such vent shaft or court shall be at every point open from at least 2 feet above the floor of the lowest apartment abutting upon such vent shaft or court to the sky, unobstructed, except that open iron fire escapes, as required by law, or by ordinances or regulations of incorporated towns, incorporated cities or cities and counties, may project into the court, but not more than 4 feet from the wall of the house. All courts in tenement houses hereafter erected shall conform to the requirements of the following sections.

Except that recesses may be built on the street or yard or a court, provided the depth of same is no greater than the width and that their area be not counted in computing the area of the court.

SEC. 13. The outer courts of all tenement houses hereafter erected shall have not less than the following minimum widths nor more than the following maximum lengths:

Building.	Least width.	Maximum length.
	<i>Feet. In.</i>	<i>Feet.</i>
Two stories.....	4 0	16
Three stories.....	4 6	25
Four stories.....	5 6	30
Five stories.....	6 0	35
Six stories.....	8 0	35
Seven stories.....	10 0	40
Eight stories or more.....	12 0	40

The length of outer courts shall not be more than the maximum lengths given in the above table unless 6 inches be added to the minimum widths for each additional 5 feet or fraction thereof in length. The lot-line outer courts and street to yard courts shall have the same minimum width as outer courts but are not governed by the provision in this section regarding maximum lengths.

SEC. 14. The inner courts of all tenement houses hereafter erected shall have areas and minimum widths in all parts, not less than the widths and areas as follows:

Building.	Area.	Least width.
	<i>Square feet.</i>	<i>Feet.</i>
Two stories.....	75	6
Three stories.....	120	7
Four stories.....	180	8
Five stories.....	250	12
Six stories.....	400	16
Seven stories.....	625	20
Eight stories or more.....	840	24

*Provided*, That when only the windows of kitchens containing not more than 75 square feet of floor area or of bathrooms or toilets open or are designed to open upon an inner court and said court is entirely open and free from obstruction from the bottom hereof to the sky, said court shall have areas and minimum widths in all parts not less than the areas and widths specified in the following table:

Building.	Area.	Least width.
	<i>Square feet.</i>	<i>Feet.</i>
Two stories.....	75	6
Three stories.....	84	7
Four stories.....	112	8
Five stories.....	144	12
Six stories.....	240	16
Seven stories.....	360	20
Eight stories or more.....	400	20

SEC. 15. Lot-line courts in tenement houses hereafter erected shall have areas and minimum widths in all parts not less than those specified in the following table:

Building.	Area.	Least width.
	<i>Square feet.</i>	<i>Feet.</i>
Two stories.....	80	4
Three stories.....	72	6
Four stories.....	105	7
Five stories.....	180	9
Six stories.....	300	12
Seven stories.....	490	14
Eight stories or more.....	595	17



*Provided, That when only the windows of kitchens containing not more than 75 square feet of floor area or of bath rooms or toilets open or are designed to open upon a lot-line court and said court is entirely open and free from obstruction from the bottom thereof to the sky, said court shall have areas and minimum widths in all parts not less than the areas and widths specified in the following table:*

Building.	Area.	Least width.
	<i>Square feet.</i>	<i>Feet.</i>
Two stories.....	50	4
Three stories.....	50	4
Four stories.....	60	6
Five stories.....	108	9
Six stories.....	144	12
Seven stories.....	168	14
Eight stories or more.....	225	15

SEC. 16. Every inner court, including lot line courts, shall be provided with one or more horizontal air intakes at the bottom. Such intakes shall always communicate directly with the street or yard, and shall consist of an unobstructed passageway, not less than 3 feet wide and 6 feet 6 inches high, which shall be left open, or if not open there shall always be provided in such passageway open grilles and transoms one at each end of a size not less than 10 square feet each, and such open grilles or transoms shall never be covered with glass or in any other way. In case the court does not go down below the second floor level, the intake shall consist of unobstructed open ducts having an open interior area of not less than 16 square feet at any point and covered at each end with a wire screen of not less than 1-inch mesh. Such duct shall be so arranged as to be easily cleaned out. These ducts or intakes must in any case be either of fireproof construction or lined with No. 26 galvanized iron on inside.

SEC. 17. No existing tenement house shall (unless the rear of the lot upon which it stands abuts upon a public alley at least 10 feet wide) hereafter to be enlarged or its lot be diminished so that there will not be a yard immediately behind said tenement house building of the size required by this act for tenement house buildings hereafter constructed. Where a tenement house, now or hereafter erected, stands upon a lot, other than a corner lot, no other building shall hereafter be placed upon the front or rear of that lot, unless the minimum distance between such buildings shall be at least 10 feet, if neither building exceeds the height of one story; or 12 feet if either building exceeds the height of one story, but not the height of two stories, and so on, 2 additional feet to be added to such minimum distance of 10 feet for every story more than one in the height of the highest building on such lot. Every rear tenement hereafter erected, or every tenement that hereafter becomes a rear tenement by the erection of a building or buildings on the front of the same lot, shall have direct access to a street, or to a public alley at least 16 feet wide, by a passageway not less than 5 feet wide by 7 feet high.

SEC. 18. In every tenement house hereafter erected every room, except water-closet compartments and bathrooms, shall have a window or windows of the area required by section 19 of this act, opening directly upon the street or upon a yard or a court of the dimensions specified in sections 8 to 16 of this act, and such windows shall be located so as to properly light all portions of such rooms.

SEC. 19. In every tenement house hereafter erected, the total window area of each room within each apartment, except water-closet compartments and bathrooms, shall be at least one-eighth of the superficial area of the room, except in the cellar or basement, where it shall be one-sixth, and the upper half of all windows shall be made so as to open the full width. The total window area of any such room shall never be less than 12 square feet, measured to outside of sash.

SEC. 20. In every tenement house hereafter erected all rooms, except water-closet compartments and bathrooms, shall be of the following dimensions: In each apartment there shall be at least one room containing not less than 120 square feet of floor area, and each other room shall contain at least 90 square feet of floor area. Each room shall be in every part not less than 9 feet from the finish floor to the finished ceiling: *Provided*, That an attic room need be but 9 feet high in but half its area. Except that small closets, and water-closet compartments, and bathrooms may be not less than 7 feet 6 inches in height and except that kitchens or pantries may be less than 90 square feet of area; provided that same are not occupied or intended or designed to be occupied as bedrooms.

SEC. 21. In every tenement house hereafter erected an alcove in any room shall be separately lighted and ventilated and must conform to all the requirements of other rooms, and shall not be less than 90 square feet in area. No part of any room in a tenement house hereafter erected shall be inclosed or subdivided at any time, wholly or in part, by a curtain or portiere, fixed or movable partition, or other contrivance or device, unless such part of the room so inclosed or subdivided shall contain a separate window as herein required, and shall have a floor area of not less than 90 square feet: *Provided, however*, That closets or alcoves of not more than 25 square feet floor area do not come within the provisions of this section: *Provided further*, That it shall be unlawful to do any cooking or prepare any food in closets or alcoves unless they conform to all the provisions of sections 18 and 19 of this act relative to windows.

SEC. 22. In every tenement house which is hereafter erected, which is occupied or arranged to be occupied by more than two families on any floor, or which exceeds four stories and cellar in height, every public hall or stair hall shall have at least one window at each floor opening directly upon the street or upon a yard or court, except as otherwise provided in this section. Any part of a hall divided off from any other part of said hall by a door or doors shall be deemed a separate hall within the meaning of this section; and if no window from such hall opens directly upon a street or upon a yard or court, there shall be a skylight over each such public hall with louvres and at least 20 square feet of glass area over buildings two stories in height. The area of glass in such skylight shall be increased at a ratio of 6 square feet for each additional story in height of the building, and a stair well be provided. The clear open area of such stair well at each floor to be equal to one-third of the area of the glass in such skylight, and all doors leading from such public halls shall be provided with translucent glass panel of an area of not less than 5 square feet for each door and also with fixed transom of translucent glass over each door: *Provided*, That in a stair hall that does not have a window opening directly upon a street or upon a yard or court in lieu of such window a skylight with louvres and at least 20 square feet of glass area shall be constructed in the roof over such stairway.

SEC. 23. In every tenement house hereafter erected, one at least of the windows provided to light each public hall or part thereof shall have an area of at least 12 square feet measured to outside of sash.

SEC. 24. In every tenement house hereafter erected, the windows required by law on each floor to light or ventilate stair halls, shall be at least 15 square feet of area measured to outside of sash. Sash doors in entrance halls and public halls shall be deemed the equivalent of a window for lighting purposes, provided that such doors contain the amount of glazed surface prescribed for windows.

SEC. 25. Every vent shaft hereafter constructed in a tenement house shall be at least 16 square feet in area, and the least dimension of such vent shaft shall be at least 4 feet; and, if such vent shaft is above 50 feet in height, measured from the bottom to the top of said shaft, such vent shaft shall throughout its entire height be increased in area 3 square feet for each addition of 12 feet or fraction thereof above 50 feet.

Every such vent shaft shall be constructed of fireproof materials or shall be covered on the outside (weather side) with metal and on the inside (room side) with metal lath and plaster, excepting that portion of such vent shaft extending from the ceiling of the topmost story of the building may be covered with metal on both sides in lieu of metal lath and plaster.

Every such vent shaft shall be provided with an air intake or duct at the bottom, communicating with the street or yard or a court; such air intake shall be 3 square feet in total area; such air intake may be divided into not more than three separate ducts running between the joists or otherwise, and shall in all cases be placed as nearly horizontal as possible. Such ducts shall be constructed of fireproof material and shall enter the shaft at or near the bottom thereof, and shall be provided with a wire screen of not more than 1-inch mesh at each end. Plumbing, gas, steam, or other similar pipes may be placed in a vent shaft.

SEC. 26. In every apartment of four or more rooms in a tenement house hereafter erected, access to every living room and bedroom and to at least one water-closet compartment shall be had without passing through any bedroom.

SEC. 27. In no tenement house hereafter erected shall any room in the cellar be constructed, altered, converted, or occupied for living purposes; and no room in the basement of a tenement house shall be constructed, altered, converted, or occupied for living purposes unless all of the following conditions of this act be complied with, and at least two-thirds of the basement shall be above grade for building: *Provided*, In each case of each such room the ceiling shall be at least 7 feet above the adjoining street grades and actual ground levels.

(1) Such rooms shall be at least 9 feet in every part from the floor to the ceiling.

(2) There shall be appurtenant to such room or apartment a water-closet conforming to the regulations and ordinances relating to water-closets of the incorporated town, incorporated city, or city and county in which the tenement house is or is to be built.

SEC. 28. If the basement of any tenement house hereafter erected is used or designed to be used for living purposes it shall have all walls below the ground level and all cellar or lower floors damp proofed and waterproofed. When necessary to make such floors and walls damp proof and waterproof, the damp proofing and waterproofing shall run through the walls as high as the ground level and continue throughout the floor. All cellars and basements in such tenement houses shall be properly lighted and ventilated to the satisfaction of the department charged with the enforcement of this act.

SEC. 29. In every tenement house hereafter erected the bottom of all shafts, courts, areas, and yards which extend to the basement for light or ventilation of living rooms, shall not be more than 2 feet above the floor of the lowest apartment abutting on such court, shaft, area, or yard. In every tenement house all shafts, courts, areas, and yards shall be properly graded and drained and connected with the street or sewer so that all water may pass freely through into it, and when required by the department charged with the enforcement of this act shall be properly concreted.

SEC. 30. In every tenement house hereafter erected there shall be in each apartment a proper sink with running water.

SEC. 31. In every tenement house hereafter erected there shall be a separate water-closet in a separate compartment within each apartment, and one shower bath or bathtub in a separate compartment shall be provided on each floor for every 10 rooms or fraction thereof and arranged so that one bathtub or shower is accessible to each apartment: *Provided*, That where there are apartments consisting of but one or two rooms there may be one water-closet compartment for every two such apartments accessible from each such apartment through the public hall, and not more than 20 feet distant from an entrance of each such apartment.

Each compartment shall not be less than 2 feet 4 inches wide and shall be inclosed with plastered partitions which shall extend to the ceiling.

Every such water-closet compartment shall have a window or windows of at least 6 square feet total area opening directly upon a vent shaft, court, street, or yard.

However, a bathtub or shower may be placed in a separate water-closet compartment where neither bathtub or shower or water-closet are to be used by more than one apartment.

Every water-closet compartment shall be provided with proper means for lighting same by night.

The floor of every such water-closet compartment shall be made waterproof with asphalt, tile, cement, or some other nonabsorbent waterproof material, which shall be satisfactory to the department charged with the enforcement of this act.

SEC. 32. No wooden tenement house shall hereafter be erected which shall contain more than 150 rooms exclusive of bathrooms.

SEC. 33. No wooden tenement house exceeding three stories in height, exclusive of cellar, shall hereafter be erected. However, the building may step up or down to follow the grade, provided no part of the said building is over three stories in height: *Provided, however*, That a wooden tenement containing a basement or a full first story the floor of which is not below the level of the curb may, where such basement or story is not used or designed to be used for living purposes, be constructed with not more than three stories of living apartments above such basement or such first story: *And provided, further*, That when three stories of living apartments are constructed or designed to be constructed or occupied above such first story or basement of a wooden tenement such first story or basement shall not be of such height as to have more than 14 feet or less than 9 feet between the finished floor and finished ceiling.

Where such wooden tenement contains three stories designed for living purpose, no stores shall be placed therein.

Whenever in a wooden tenement three stories of apartments designed for living purposes are constructed above such last-mentioned basement or story, such basement or story may contain reception or amusement rooms, not to exceed five in number, which shall be for the use of the tenants of the building and are not to be used for commercial purposes, and shall not contain apartments used or designed to be used for living purposes.

Every tenement house may contain not to exceed five such reception or amusement rooms for the use of the tenants of the building and not to be used for commercial purposes. Every reception or amusement room shall have a minimum floor area of not less than 150 square feet and a minimum width of not less than 10 feet and shall have a window or windows therein, opening upon a street or public alley, or other public thoroughfare or public park, or court or yard, as follows:

When such room contains not more than 180 square feet of floor area the window area, if said room is not a basement room, shall be not less than one-eighth the superficial area of said room, and if located in a basement shall be not less than one-sixth the superficial area of such room, and the upper half of the windows shall be made so as to open the full width.

No reception or amusement room containing more than 180 square feet of floor area shall have a lesser window area than that provided for such rooms containing 180 square feet of floor area.

No such reception or amusement room shall be used for lodgings, sleeping apartments, or family domicile.

Whenever such reception or amusement rooms are placed in a wooden tenement building or in a tenement which is not a wooden tenement, the story or basement in which such rooms are located shall have a minimum height between the finished floor and finished ceiling of not less than 9 feet.

No wooden tenement shall contain more than three stories used or designed to be used for living purposes and a basement containing living apartments shall be counted

as a story in determining the number of stories of a tenement house. Such tenement house may step up or down to follow the grade.

SEC. 34. A nonfireproof tenement house may be built four stories in height, provided the exterior walls are all of brick or stone or concrete and all other municipal requirements for this class of buildings are complied with. If in addition to above requirements all joists, girders, studding, furring, and the soffits of stairs be lathed with metal lath and plastered, such tenement houses may be built not to exceed six stories, provided the height limits imposed by municipal ordinance for all buildings of this particular class be not exceeded. A cellar is not a story within the meaning of this section. However, the building may step up or down to follow the grade, provided that no part of said building exceeds the number of stories provided for in this section.

SEC. 35. Every tenement house hereafter erected exceeding six stories or parts of stories in height (above the curb) shall be a fireproof tenement house. A cellar is not a story within the meaning of this section.

SEC. 36. Every tenement house shall be provided and equipped with standpipes and with metallic fire escapes, combined with suitable metallic balconies, platforms, and railings, as provided for or which shall be provided for by the ordinances of the incorporated town, incorporated city or city and county in which the tenement house is situated. No incumbrance of any kind shall at any time be placed before, upon, or against any stairway, steps or landings, or fire escapes in or upon any tenement house. All fire escapes upon tenement houses shall be kept in good order and repair and every exposed part thereof shall at all times be protected against rust by durable paint.

SEC. 37. Every tenement house hereafter erected more than two stories in height shall have a stairway not less than 3 feet in width leading to an opening onto the roof and provided with a penthouse over such a stairway (such penthouse to be constructed on the inside and ceiling of the same materials as required in this section for the walls inclosing stairway and provided with a door). Such stairway shall be provided with proper handrail and be inclosed with walls of fireproof materials or wood studs lathed on the stair side with metal lath and plaster, or such wood studs may be covered with metal in lieu of metal lath and plaster. Any door opening from such stairway to the roof space shall be covered on the stair side with metal. The soffits of all such stairs shall be covered with metal or metal lath plastered.

SEC. 38. Every tenement house hereafter erected more than two stories in height shall have at least one flight of stairs extending from the entrance floor to the roof, and the stairs and public halls therein shall be at least 3 feet wide in the clear, and every nonfireproof tenement house containing not more than 50 rooms shall have a secondary flight of stairs running from the top floor down to the second floor and not less than 2 feet 6 inches wide. A fire escape may take the place of this second stairway, provided said fire escape connects directly with a public hallway or is accessible to each apartment.

SEC. 39. Every nonfireproof tenement house hereafter erected containing over 50 rooms, exclusive of bathrooms, above the entrance story shall also have an additional flight of stairs for every additional 80 rooms or fraction thereof; if said house contains not more than 100 rooms above the entrance story, in lieu of an additional stairway the stairs, stair halls, and entrance halls throughout the entire building shall be at least one-half wider than is specified in sections 38 and 42 of this act. However, where an additional flight of stairs is added in accordance with the provisions of this section, the secondary stairway required in section 38 may be omitted.

SEC. 40. Every fireproof tenement house hereafter erected containing over 120 rooms above the entrance story, exclusive of bathrooms, shall have an additional flight of stairs for every additional 120 rooms or fraction thereof; but if said house contains not more than 180 rooms above the entrance story, exclusive of bathrooms, in lieu of an additional stairway the stairs, stair halls, and entrance halls throughout the entire building may each be at least one-half wider than is specified in sections 38 and 42 of

this act; and if such house contains not more than 300 rooms above entrance story, exclusive of bathrooms, in lieu of four stairways there may be but three stairways, provided that one of such stairways and the stair halls and entrance halls connected therewith are at least one-half wider than is specified in sections 38 and 42 of this act.

SEC. 41. Each flight of stairs mentioned in the last two sections shall have an entrance on the entrance floor from the street or street court, or from an inner court which connects directly with the street. All stairs shall be constructed with a rise of not more than 8 inches, and with treads not less than 9 inches wide, exclusive of nosings. Where winders are used all treads at a point 18 inches from the strings on the wall side shall be at least 10 inches wide.

SEC. 42. Every entrance hall in a tenement house hereafter erected shall be at least 3 feet 6 inches in the clear from the entrance up to and including the stair inclosure, and beyond this point 3 feet wide in the clear. In every tenement house hereafter erected, access shall be had from the street to the yard, either in a direct line or through a court.

SEC. 43. In nonfireproof tenement houses hereafter erected no closet of any kind shall be constructed under any stairway leading from the first story exclusive of the cellar, to the upper stories, but such space shall be left entirely open and kept clear and free from incumbrance.

SEC. 44. In every tenement house hereafter erected there shall be an entrance to the cellar or other lowest story from the outside of said building.

SEC. 45. No tenement house shall be increased in height or its lot decreased so that its yard shall be diminished to less than is required by sections 8 to 11 inclusive of this act, or so that a greater percentage of the lot shall be occupied by buildings or structures than provided for in section 5 of this act. For the purpose of this section, the measurements for computing the percentage of lot to be occupied may be taken at the level of the second tier of beams, the second floor level, except in tenement houses where rooms on the ground floor are to be occupied as sleeping apartments: *Provided*, That the space occupied by open iron fire escapes and by chimneys or flues located in yards and attached to the house, which do not exceed 5 square feet in area and do not obstruct the light or ventilation, shall not be deemed part of the lot occupied.

SEC. 46. No tenement house shall be increased in height so that said building shall exceed in height by more than one-half the width of the widest street on which it stands.

SEC. 47. Any shaft or court used or intended to be used to light or ventilate rooms intended to be used for living purposes, and which may hereafter be placed in tenement houses erected prior to the passage of this act, shall not be less in area than 25 square feet, or less than 4 feet in width in any part, and such shaft shall under no circumstances be roofed or covered over at the top with a roof or skylight.

SEC. 48. Any additional room or hall that is hereafter constructed or created in a tenement house shall comply in all respects with the provisions of this act applicable to tenement houses to be erected hereafter, except that such rooms may be the same height as the other rooms of the same story of the house.

SEC. 49. No tenement house shall be so altered that any room or public hall or stairs shall have its light or ventilation diminished in any way not approved by the health department or other department designated by municipal ordinance for that purpose.

SEC. 50. No part of any room in any tenement house shall hereafter be inclosed or subdivided, wholly or in part, by a curtain, portière, fixed or movable partition, or other contrivance or device, unless such part of the room so inclosed or subdivided shall contain a window as required by section 18 of this act, and have a floor area of not less than 90 square feet: *Provided, however*, That closets or alcoves of not more than 25 square feet in area do not come within the provisions of this section.

SEC. 51. Every new water-closet hereafter placed in a tenement house, except one provided to replace a defective or antiquated fixture in the same location, shall comply

with the provisions of section 31 of this act relative to water-closets in tenement houses hereafter erected.

SEC. 52. No existing wooden tenement house shall hereafter be increased in size so as to contain more than 150 rooms exclusive of bathrooms.

SEC. 53. No wooden tenement house shall be increased in height so as to exceed three stories exclusive of the cellar. However, the building may step up or down to follow the grade, provided no part of said building is over three stories in height.

SEC. 54. A nonfireproof tenement house may hereafter be altered to be four stories in height, provided the exterior walls are all of brick or stone or concrete and all other municipal requirements for this class of buildings are complied with. If in addition to the above requirements all joists, girders, studding, furring, and the soffits of stairs be lathed with metal lath and plastered, such tenement houses may be built not to exceed six stories, provided the height limits imposed by municipal ordinances for all buildings of this particular class be not exceeded. A cellar is not a story within the meaning of this section. However, the building may step up or down to follow the grade, provided no part of the said building exceeds the number of stories provided for in this section.

SEC. 55. No tenement house shall hereafter be altered to exceed six stories or parts of stories in height unless it is a fireproof tenement house. A cellar is not a story within the meaning of this section.

SEC. 56. No stairs leading to the roof in any tenement house shall be removed or replaced with a ladder, unless a new stairway is built in conformity with requirements of section 37.

SEC. 57. No public hall or stairs in a tenement house shall be reduced in width so as to be less than the minimum width prescribed in sections 38 and 42 of this act.

SEC. 58. In every tenement house containing 15 rooms or more, where the public halls and stairs are not in the opinion of the health department or other department designated by municipal ordinance for that purpose, sufficiently lighted, the owner of such house shall keep a proper light burning in the hallway near the stairs upon each floor from sunrise to sunset.

SEC. 59. In every tenement house containing 15 rooms or more, a proper light shall be kept burning by the owner in the public hallways, near the stairs, upon the entrance floor, and upon the second floor above the entrance floor of said house, every night from sunset to sunrise throughout the year, and upon all other floors of the said house from sunset until 10 o'clock in the evening.

SEC. 60. No water-closets shall be maintained in the cellar of any tenement house without a special permit in writing from the health department, or other department designated by municipal ordinance for that purpose, which shall have power to make rules and regulations governing the maintenance of such closets.

SEC. 61. In every tenement house existing prior to the passage of this act at least one water-closet shall be provided for every two families: *Provided, however*, That the health department or other department designated by municipal ordinance for that purpose may exempt any tenement house existing prior to the passage of this act from the provision in this section above contained, whenever, in the judgment of said department, it would not be detrimental to the health of the occupants of said tenement house and the written permit be signed by an officer of said department authorized so to do and filed in said department as a part of its records: *Provided further*, That the above exemption shall not apply to extensions of or additions to tenement houses existing prior to the passage of this act.

SEC. 62. In no now existing tenement house shall any room in the cellar be constructed, altered, converted, or occupied for living purposes; and no room in the basement of a tenement house shall be constructed, altered, or converted to be occupied for living purposes, unless all of the following conditions of this act be complied with, and at least two-thirds of the basement shall be above grade for building: *Pro-*

vided, In each case it shall be at least 7 feet above the street grade and actual ground level. Such rooms shall be at least 8 feet 6 inches high in all now existing tenement houses in every part, from the floor to the ceiling. There shall be appurtenant to such room or apartment a water-closet conforming to the regulations and ordinances relating to water-closets of the incorporated town, incorporated city, or city and county in which the tenement house is or is to be built. All walls shall be damp-proofed, and there shall be an open area way extending to bottom of basement floor and running clear across outside of at least one room in each apartment.

SEC. 63. In all tenement houses the floor and wall surfaces beneath and around all water-closets and sinks shall be maintained in good order and repair, and if of wood shall be kept well painted with light-colored paint.

SEC. 64. The owner of every tenement house shall see that such house and all parts thereof shall be kept in good order and the roof shall be kept so as not to leak, and all rain water shall be so drained and conveyed therefrom as to prevent its dripping on the ground or causing dampness in the walls, ceilings, yards, or areas.

SEC. 65. The owner of every tenement house shall see that such house and every part thereof shall be kept clean and free from any accumulation of dirt, filth, or garbage, or other matter in or on the same, or in the yards, courts, passages, areas, or alleys connected or belonging to the same.

SEC. 66. The walls of all yard courts, inner courts, and shafts, unless built of light-colored brick or stone, shall be thoroughly whitewashed by the owner, lessee, or tenant, or shall be painted a light color and so maintained.

SEC. 67. In all tenement houses, the health department or other department designated by municipal ordinance for that purpose may require the walls and ceilings of every room that does not open directly on the street to be kalsomined white or painted with white paint when necessary to improve the lighting of such rooms, and may require this to be renewed as often as may be necessary.

SEC. 68. No wall paper shall be placed upon a wall or ceiling of any tenement house unless all wall paper shall be first removed therefrom and said wall and ceiling thoroughly cleaned.

SEC. 69. The owner of every tenement house shall provide for said building proper and suitable conveniences or receptacles for ashes, rubbish, garbage, refuse, and other matter.

SEC. 70. No horse, cow, calf, swine, goat, rabbit, or sheep, chickens or poultry shall be kept in a tenement house, or within 20 feet thereof on the same lot, and no tenement house or the lot or premises thereof shall be used for a lodging house or stable or for the storage or handling of rags.

SEC. 71. Whenever there shall be more than eight families living in any tenement house, in which the owner does not reside, there shall be a janitor, housekeeper, or some responsible person who shall reside in said house and have charge of same, as the department charged with the enforcement of this act shall so require.

SEC. 72. No room in any tenement house shall be so overcrowded that there shall be afforded less than 400 cubic feet of air to each person occupying such room.

SEC. 73. No tenement house or any part thereof, nor of the lot upon which it is situated, shall be used as a place of storage, keeping or handling of any combustible article, except under such conditions as may be prescribed by the department of any incorporated town, incorporated city, or city and county to which this act applies, which are charged with the enforcement of laws, ordinances, or regulations relating to the erection of buildings, the protection of public health, and police and fire protection. No tenement house nor any part thereof, nor of the lot upon which it is situated, shall be used as a place of storage, keeping or handling of any article dangerous or detrimental to life or health, nor for the storage, keeping, or handling of feed, hay, straw, excelsior, cotton, paper stock, feathers, or rags.



Sec. 74. No bakery and no place of business in which fat is boiled shall be maintained in any tenement house which is not fireproof throughout, unless the ceilings and side walls of said bakery or place where fat boiling is done are made safe by fireproof materials around the same, and there shall be no openings, either by door or window, dumb-waiter shafts, or otherwise, between said bakery or said place where fat is boiled in any tenement house and the other parts of said building.

Sec. 75. All transoms and windows opening into halls from any portion of a tenement house where paint, oil, spirituous liquors, or drugs are stored for the purpose of sale or otherwise, shall be glazed with wire glass or they shall be removed and closed up as solidly as the rest of the wall. And all doors leading into such hall from such portion shall be made fireproof.

Sec. 76. All scuttles and penthouses and all stairs or ladders leading thereto shall be easily accessible to all tenants of the building, and kept free from incumbrance and ready for use at all times. No scuttle and no penthouse door shall at any time be locked with a key, but either may be fastened on the inside by movable bolts or hooks.

Sec. 77. No room in a tenement house erected prior to the passage of this act shall hereafter be occupied for sleeping purposes unless it shall have a window opening directly upon the street, or upon a yard not less than 10 feet deep, or above the roof of an adjoining building, or upon a court of not less than 20 square feet in area, open to the sky without roof or skylight, unless such room is located on the top floor and is adequately lighted and ventilated by a skylight opening directly to the outer air, or is on the top floor and has a window opening upon a court not less than 10 square feet in area and not more than 3 feet below the top of the walls of said court. Every room in such tenement house, regardless of the use thereof, shall comply with the above provisions; or, if the room be not used for sleeping purposes, shall be provided with a sash window, opening into an adjoining room in the same apartment, which latter room either opens directly on the street or on a yard of the above dimensions. Said sash window shall be a vertically sliding-pulley hung sash not less than 3 feet by 5 feet between stop beads; both halves shall be made so as to readily open, and shall be glazed with translucent glass, and so far as possible it shall be in line with windows in outer rooms opening on the street or yard as to afford a maximum of light and ventilation.

Sec. 78. In all now existing tenement houses whenever a public hall on any floor is not light enough in the day time to permit a person to read in every part thereof without the aid of artificial light, the wooden panels in the doors located at the ends of the public halls and opening into rooms shall be removed and ground glass or other translucent glass or wire glass panels of an aggregate area of not less than 4 square feet for each door shall be substituted; or said public hall may be lighted by a window at the end thereof with the plane of the window at right angles to the axis of said hall, said window opening upon the street or upon a yard or court.

Sec. 79. In all now existing tenement houses, the woodwork inclosing all water-closets shall be removed from the front of said closets and the space underneath the seat shall be left open. The floor and other surface beneath and around the closet shall be maintained in good order and repair and if of wood shall be kept well painted with light colored paint.

Sec. 80. In all now existing tenement houses the woodwork inclosing sinks or lavatories located in rooms, located in public halls or stairs shall be removed, and the space underneath sink or lavatory shall be left open. The floors and wall surfaces beneath and around the sink or lavatory shall be maintained in good order and repair and if of wood shall be well painted.

Sec. 81. In all now existing tenement houses there shall be at the bottom of every shaft or inner court a door or window giving sufficient access to each shaft or court to enable it to be properly cleaned out.

SEC. 82. In all tenement houses erected prior to the passage of this act, where a connection with a sewer is possible, all school sinks, privy vaults, or other similar receptacles used to receive fecal matter, urine, or sewage, shall be completely removed and the place where they are located properly disinfected under the direction of the health department or other department designated by municipal ordinance for that purpose. Such appliances shall be replaced by individual water-closets of durable nonabsorbent material, properly sewer connected, and with individual traps, and properly connected flush tanks providing an ample flush of water to thoroughly cleanse the bowl. Each water-closet shall be located in a compartment completely separated from every other water-closet, and such compartment shall contain a window of not less than 3 square feet in area opening directly to the street, or yard, or on a court of the minimum size prescribed in section 25 of this act. The floors of the water-closet compartment shall be waterproof as provided in section 31 of this act. Where water-closets are placed in the yard to replace school sinks or privy vaults, the structure containing the water-closets shall not exceed 10 feet in height; such structure shall be provided with a ventilating skylight in the roof, of adequate size, and each water-closet shall be located in a compartment separated completely from every other water-closet. Proper and adequate means for lighting the structure at night shall be provided. There shall be provided at least one water-closet for every two families in every tenement house existing on the day this act takes effect, subject to the provisions of section 61 of this act. Except as in this section otherwise provided, such water-closets and all plumbing in connection therewith shall be in accordance with the ordinances and regulations in relation to plumbing and drainage.

SEC. 83. Every tenement house of more than two stories in height erected prior to the passage of this act, shall have in the roof a penthouse or a scuttle which shall not be less than 21 by 28 inches, and located in the ceiling of a public hall. All scuttles shall be covered on the outside with metal and shall be provided with stairs or stationary ladders leading thereto and easily accessible to all tenants of the building. No scuttle and no bulkhead door shall at any time be locked with a key, but either may be fastened on the inside by movable bolts or locks. All key locks on scuttles and on penthouse doors shall be removed.

SEC. 84. Before the construction or alteration of a tenement house or the alteration or conversion of a building for the use of a tenement house is commenced, and before the construction or alteration of any building or structure on the same lot with a tenement house, the owner or his agent or architect shall submit to the health department or other department designated for that purpose by ordinance of the municipality in which said work is contemplated, a detailed statement in writing, verified by the affidavit of the person making the same, of the construction of such tenement house or building or of such alterations proposed to be made to the said tenement house or building, upon blanks or forms to be furnished by such department. Also a full and complete copy of the plans and specifications of the tenement house or building proposed to be erected or altered, as the case may be, together with a plan of the lot on which such building is proposed to be erected or altered or such portion of the lot as will be set aside exclusively for and under the control of the said tenement house building. Such statement shall give in full the name and residence by street and number of the owner or owners of such tenement house or building. Also the name and business address by street and number of the architect and the contractor. Said affidavit shall allege that said plans, specifications, and lot plan are true and contain a correct description of such tenement house, building lot, structure, and proposed work. The statements and affidavits herein provided for may be made by the owner or his agent or architect. No person, however, shall be recognized as the agent of the owner unless he shall file with said department an affidavit alleging that he is authorized by the said owner to act for him and to sign the required affidavit. Any false swearing in a material point in such affidavit shall be deemed perjury. Such plans,

specifications, and statements shall be filed in said department and shall be deemed public records.

Said department charged with the enforcement of this act shall cause all such plans and specifications to be examined and if such plans and specifications conform to the provisions of this act shall issue a written certificate to that effect to the person submitting the same. Such certificate shall state that "Tenement house act has been complied with." Said department may from time to time approve changes in any plans or specifications previously approved by it; provided, plans and specifications when so changed shall be in conformity with the provisions of this act. Said department shall have power to revoke or cancel any permit or approval that has been previously issued in case of any failure or neglect to comply with any of the provisions of this act or in case any false statement or misrepresentation is made in any of the said plans, specifications or statements submitted or filed for such permit or approval. The construction, alteration, or conversion of such tenement house, building, or structure or any part thereof, shall not be commenced until the filing of such specifications, plans, and statements, and the approval thereof, as above provided. The construction, alteration, or conversion of such house, building, or structure, shall be in accordance with such approved specifications and plans. When the original plans are filed a copy shall be presented to the department with which the plans are filed and when the permit to construct or alter is issued said copy shall be certified thereon by said department as a true copy of said plans and delivered to the person applying for said permit and shall be kept upon the premises upon which the tenement house or building is to be constructed or altered from the commencement of the work thereon to the final completion of the construction or alteration and be subject to inspection at all times by all proper authorities.

A copy of all changes or alterations in the original plans duly authorized shall also be kept upon the premises or said changes or alterations shall be noted upon the original copy so issued and certified by the department with which the original plans were filed. The department charged with the enforcement of this act may, at its discretion, issue a permit in case of nominal alterations and repairs, when application is made therefor in writing by the owner, his agent, or architect, when the making of said nominal alterations and repairs do not affect any structural feature, light, or sanitation of a tenement house building, without requiring the filing of plans, specifications, or lot plan. Any permit or approval which may be issued by said department but under which no work has been done within 90 days from the date of issuance of such permit or approval or where work has been suspended for a period of 90 days shall expire by limitation, and a new permit shall be obtained before the work may be prosecuted.

SEC. 85. Upon the completion of the construction or alteration of a tenement house or alteration of a building into a tenement house and the making of a written application therefor by the owner, his agent, architect, or contractor to the health department or other department designated by municipal ordinance to enforce the provisions of this act regarding actual construction or alteration of a tenement house or building, said department, if said building at the date of such application is entitled thereto, shall, within 10 days from the date of application, issue a certificate that the tenement house or building or alteration thereof is completed in conformity with the tenement house act, which certificate shall be entitled "Certificate of final completion," and upon presentation of said certificate to the department of health of the incorporated town, incorporated city, or city and county in which the building is located and filing the same with such department, the department of health shall issue a permit to occupy such tenement house, which last mentioned permit shall be entitled "Permit of occupancy upon completion of construction."

Said certificate and said permit shall each be made in duplicate and one copy of each shall remain on file in the department issuing it.

No tenement house shall be occupied in whole or in part for human habitation until the issuance of the said "Certificate of final completion" and of said "Permit of occupancy upon completion of construction."

SEC. 86. If any building hereafter constructed as or altered into a tenement house be occupied in whole or in part for human habitation in violation of the last section during such unlawful occupancy, said premises shall be deemed unfit for human habitation and the department of health or other department charged with the enforcement of this act may cause them to be vacated accordingly.

SEC. 87. Except as herein otherwise provided, the provisions of this act shall be enforced by the departments of any incorporated town, incorporated city, or city and county to which this act applies, which are charged with the enforcement of laws, ordinances, and regulations relating to the protection of public health and the erection of buildings.

By the term "department of health" used in this act is meant any department, portion, or part of the government of any incorporated town, incorporated city, or city and county to which this act applies which is charged with the enforcement of laws, ordinances, and regulations relating to the protection of public health.

SEC. 88. The department of health or other department charged with the enforcement of this act in any incorporated town, incorporated city, or city and county to which this act applies, and the officers and agents of such departments shall have the right and it shall be its and their duty to enter into tenement houses and buildings within the said municipal corporation for the purpose of inspecting such houses and buildings to secure compliance with the provisions of this act and to prevent violations thereof.

Inspectors of the commission of immigration and housing shall have the authority and the right to enter into all buildings within the State to which the provisions of this act apply for the purpose of inspecting such buildings to secure compliance with the provisions of this act and to prevent violations thereof.

SEC. 89. Nothing in this act shall be construed to abrogate or impair the powers of the department of health, the department of public works, or of the courts to enforce any provisions of the charter or building ordinances and regulations of any incorporated town, incorporated city, or city and county, not inconsistent with this act, or to prevent or punish violations thereof.

The provisions of this act shall be held to be the minimum requirements adopted for the protection, health, and safety of the community. Nothing in this act contained shall be construed as prohibiting the local legislative body of any incorporated town, incorporated city, or city and county from enacting from time to time supplementary ordinances imposing further restrictions. But no ordinance, regulation, or ruling of any municipal authority shall repeal, amend, modify, or dispense with any provision of this act.

SEC. 90. Every person who shall violate or assist in violation of any provision of this act shall be guilty of a misdemeanor punishable by imprisonment in a county jail not exceeding six months or by a fine not exceeding \$500 or by both, and in addition to the penalty therefor shall be liable for all costs, expense, and disbursements paid or incurred by the department by any of the officers thereof or by any agent, employee, or contractor of the same in the prosecution of such violation.

SEC. 91. Except as herein otherwise specified the procedure for the prevention of violations of this act, or for the vacation of premises unlawfully occupied, or for other abatement of nuisance in connection with a tenement house, shall be as set forth in charter and ordinances of the municipality in which the procedure is taken. In case any tenement house, building or structure or any part thereof is constructed, altered, converted or maintained in violation of any provision of this act or of any order or notice of the departments charged with its enforcement, or in case a nuisance exists in any such tenement house, building or structure or upon the lot on which it is situated,

said departments may institute any appropriate action or proceeding to prevent such unlawful construction, alteration, conversion or maintenance, to restrain, correct or abate such violation or nuisance, to prevent the occupation of said tenement house, building or structure, or to prevent any illegal act, conduct or business in or about such tenement house or lot. In any such action or proceeding said departments may, by affidavit setting forth the facts, apply to the superior court, or to any judge thereof, for an order granting the relief for which said action or proceeding is brought, or for an order enjoining all persons from doing or permitting to be done any work in or about such tenement house, building, structure or lot, or from occupying or using the same for any purpose, until the entry of final judgment or order. In case any notice or order issued by said departments is not complied with, said departments may apply to the superior court, or to any judge thereof, for an order authorizing said departments to execute and carry out the provisions of said notice or order, to remove any violation specified in said order or notice, or to abate any nuisance in or about such tenement house, building or structure, or the lot upon which it is situated. The court, or any judge thereof, is hereby authorized to make any order specified in this section. In no case shall the said department or any officer thereof or the municipal corporation be liable for costs in any action or proceeding that may be commenced in pursuance of this act.

The commission of immigration and housing of California shall have power to institute the actions or proceedings provided for in this section.

Sec. 92. Every fine imposed by judgment under section 90 of this act upon a tenement house owner shall be a lien upon the house in relation to which the fine is imposed from the time of the filing of a certified copy of said judgment in the office of the recorder of the county in which said tenement house is situated, subject only to taxes and assessments and water rates, and to such mortgage and mechanics' liens as may exist thereon prior to such filing; and it shall be the duty of the department of health or other department by municipal ordinance designated for that purpose upon the entry of such judgment, to forthwith file the copy as aforesaid, and such copy upon filing shall be forthwith indexed by the recorder in the index of mechanics' liens.

Sec. 93. In any action or proceeding instituted by the departments charged with the enforcement of this act, the plaintiff or petitioner may file in the county recorder's office of the county where the property affected by such action or proceeding is situated, a notice of the pendency of such action or proceeding. Said notice may be filed at the time of the commencement of the action or proceeding, or at any time afterwards before final judgment or order, or at any time after the service of any notice or order issued by said department. Such notice shall have the same force and effect as the notice of pendency of action provided for in the code of civil procedure. Each county recorder with whom such notice is filed shall record it, and shall index it in the name of each person specified in a direction subscribed by an officer of the department instituting such action or proceeding. Any such notice may be vacated upon the order of a judge of the court in which such action or proceeding was instituted or is pending. The recorder of the county where such notice is filed is hereby directed to mark such notice and any record or docket thereof as canceled of record, upon the presentation and filing a certified copy of such order.

Sec. 94. Every owner of a tenement house and every lessee of the whole house, or other person having control of a tenement house, shall file in the department of health a notice containing his name and address, and also a description of the property, by street and number, and otherwise, as the case may be, in such manner as will enable the departments charged with the enforcement of this act to easily find the same; and also the number of apartments in each house, the number of rooms in each apartment, and the number of families occupying the apartments. In case of a transfer of any tenement house, it shall be the duty of the grantee of said tenement house to file in the department of health a notice of such transfer, stating the name of the new

owner, within 30 days after such transfer. In case of the devolution of the said property by will, it shall be the duty of the executor and the devisee, if more than 21 years of age, and in the case of devolution of such property by inheritance without a will, it shall be the duties of the heirs, or in case all the heirs are under age, it shall be the duty of the administrator of the deceased owner of said property to file in said department a notice, stating the death of said owner and the names of those who have succeeded to his interests, within 30 days after the death of the decedent, in case he died intestate and within 30 days after the probate of his will, if he died testate.

Sec. 95. Every owner, agent or lessee of a tenement house shall file in the department of health a notice containing the name and address of such agent of such house, for the purpose of receiving service of process, and also a description of the property by street and number or otherwise, as the case may be, in such manner as will enable the department charged with the enforcement of this act to easily find the same. The name of the owner or lessee may be filed as agent for this purpose.

Sec. 96. The names and addresses filed in accordance with sections 94 and 95 shall be indexed by the department of health in such a manner that all of those filed in relation to each tenement house shall be together and readily ascertainable. The said department shall provide the necessary books and clerical assistance for that purpose, and the expense thereof shall be paid by the municipality. Said indexes shall be public records, open to public inspection during business hours.

Sec. 97. Every notice or order in relation to a tenement house shall be served five days before the time for doing the thing in relation to which it shall have been issued.

Sec. 98. In any action brought by any department charged with the enforcement of this act in relation to a tenement house for injunction, vacation of the premises, or other abatement of nuisance, or to establish a lien thereon, it shall be sufficient service of summons to serve the same as notices and orders are served under the provisions of the code of civil procedure.

Sec. 99. A tenement house shall be subject to a penalty of \$1,000, if it or any part of it shall be used for the purposes of a house of prostitution or assignation of any description, with the permission of the owner thereof, or his agent, and said penalty shall be a lien upon the house and the lot upon which the house is situated.

Sec. 100. A tenement house shall be deemed to have been used for the purposes specified in the last section with the permission of the owner or lessee thereof, if summary proceedings for the removal of the tenants of said tenement house, or so much thereof as is unlawfully used, shall not have been commenced within five days after notice of such unlawful use, served by a department charged with the enforcement of this act in the manner prescribed by law for the service of notices and orders in relation to tenement houses.

Sec. 101. In a prosecution against an owner or agent of a tenement house under section 316 of the penal code, or in an action to establish a lien under section 99 of this act, the general reputation of the premises in the neighborhood shall be competent evidence, but shall not be sufficient to support a judgment without corroborative evidence, and it shall be presumed that their use was with the permission of the owner or lessee: *Provided*, That such presumption may be rebutted by evidence.

Sec. 102. Said action shall be brought against the tenement house as defendant. Said house may be designated in the title of the action by its street and number or in any other method sufficiently precise to secure identification. The property shall be described in the complaint. The plaintiff, except as hereinafter provided, shall be any department charged with the enforcement of this act.

Sec. 103. Said action shall be brought in the superior court in the county or city and county in which the property is situated. At or before the commencement of the action the complaint shall be filed in the office of the clerk of the county or city and county, together with a notice of the pendency of the action, containing the names of the parties, the object of the action, and a brief description of the property affected thereby.

SEC. 104. The judgment in such action, if in favor of the plaintiff, shall establish the penalty sued for as a lien upon said premises, subject only to taxes, assessments, and to such mortgages and mechanics' liens as may exist thereon prior to the filing of the notice of pendency of the action.

SEC. 105. All statutes of the State and ordinances of incorporated towns, incorporated cities and cities and counties, as far as inconsistent with the provisions of this act, are hereby repealed: *Provided*, That nothing in this act contained shall be construed as repealing or abrogating any present law or ordinance in any incorporated town, incorporated city, or city and county of the State, further restricting the percentage of the lot to be covered by a tenement house, the number of stories or the height of such house, the number of apartments therein, the occupation thereof, the materials to be used in its construction, or increasing the size of the yards or courts, the air space to each individual occupying a room, the requirements as to sanitation, ventilation, light, protection against fire.

SEC. 106. Nothing in this act contained shall be construed as abrogating, diminishing, minimizing, or denying the power of any incorporated town, incorporated city, or city and county by ordinance to further restrict the percentage of the lot to be covered by a tenement house within said municipality, the number of stories or the height of such house, the number of apartments therein, the occupation thereof, the materials to be used in its construction, or increasing the size of yards or courts, the air space to each individual occupying a room, the requirements as to sanitation, ventilation, light, protection against fire.

SEC. 107. Except as herein otherwise provided, every tenement house shall be constructed and maintained in conformity with the existing law, but no ordinance, regulation, or ruling of any municipal authority shall repeal, modify, or dispense with any provisions of this act.

SEC. 108. All improvements specifically required by this act upon tenement houses erected prior to its date of passage shall be made within one year from said date or at such earlier period as may be fixed by the boards of health charged with the enforcement of this act.

SEC. 109. All steam boilers, heating furnaces, or water-heating apparatus, using any fuel other than coal gas or natural gas, installed in the basement or cellar of any tenement building, shall be inclosed in a room with walls of masonry, reinforced concrete, terra cotta, or tile from the basement or cellar floor to the bottom of the first-floor joists, and the ceiling of same construction or of not less than three-fourths inch plaster on metal lath.

All windows shall be of wire glass not less than one-quarter of an inch thick in metal frames and sashes. All doors leading from said room shall be fire doors and either run on tracks or arranged to swing out and to close automatically. .

All fire doors shall overlap the wall at least 3 inches at side and top. Sills shall be of metal at least one-quarter of an inch thick on masonry, or of masonry, and have horizontal faces extending under fire doors and outer edges flush with outer surface of fire doors.

Top of sliding door shall conform to incline on the track, which shall be three-quarters inch to the foot. No door shall be hung on wooden frames or in contact with any woodwork.

Doors shall be made of three thicknesses of seven-eighths inch by 6-inch tongued-and-grooved redwood boards, surfaced both sides, the outer thickness to be placed vertical or diagonal and the inner thickness to be horizontal, nailed with clinched nails.

Doors shall be entirely covered with good tin plate ("I C" charcoal, 109 pounds to the box), not over 14 inches by 20 inches in size, laid with locked joints covering nail heads, and all vertical seams shall be double-locked. No solder shall be used.

All doors shall have hinges, hangers, latches, and chafing strips of wrought iron bolted to the doors, and shall have steel tracks (when sliding doors) and wrought-iron

stops and binders bolted through the wall. Swinging doors shall have wall eyes of wrought iron built into or bolted through the wall.

Where oil is burned every doorway shall have a masonry sill rising not less than 6 inches from the floor.

Where oil is burned the oil shall not be fed to the furnace by a gravity flow.

All tenement houses hereafter constructed of more than two stories in height shall have at least two standard fire escapes, one of which shall be on the front of said tenement house. Tenement houses over two stories in height hereafter constructed, located on corner lots, shall have at least one standard fire escape, constructed as hereinafter described, placed upon each front of the building upon each frontage upon each street.

The fire-escape balconies of said standard fire escapes shall commence at the level of the second floor and one such fire-escape balcony shall be placed at the level of each floor above such second floor, and from the topmost balcony shall extend an iron gooseneck ladder over the fire wall to the roof.

SEC. 110. Every person desiring to construct or alter a tenement house shall obtain a permit from the department charged with the enforcement of this act. Every owner or lessee of a tenement house shall obtain at the beginning of each year a license from the health department of the incorporated town, incorporated city, or city and county in which said tenement house is situated.

**Horses, Mules, Dairy Cattle, and Breeding Bulls—Inspection of, for Communicable Diseases when Imported. (Chap. 54, Act Apr. 12, 1915.)**

SECTION 1. It shall be unlawful for any person, firm, company, or corporation, their agents and servants, to bring into the State of California any horses, mules, dairy cattle, or breeding bulls except as hereinafter otherwise provided.

(a) Dairy cattle and breeding bulls over 6 months of age must be accompanied by a certificate of health and tuberculin-test record signed by a qualified veterinarian showing that each of said animals is free from communicable diseases, including tuberculosis, and copy of such certificate and tuberculin-test record shall be mailed to the State veterinarian of the State of California on the day the shipment of said animals starts from its origin.

(b) In lieu of such certificate of health and tuberculin test record, as provided for in subdivision (a) of this section, said dairy cattle and breeding bulls may be brought into the State of California, provided said animals are accompanied by a signed statement issued by the State veterinarian or other authority in charge of live stock sanitary work in the State from which such animals are transported, stating that the animals in the shipment originated in herds which are free from tuberculosis and are not affected with any communicable disease, and a copy of said statement shall be mailed to the State veterinarian of the State of California on the day the shipment of said animals starts from its origin.

(c) Horses and mules must be accompanied by certificate of health signed by a qualified veterinarian, stating that each animal in the shipment is free from communicable diseases, and a copy of said certificate shall be mailed to the State veterinarian of the State of California on the day the shipment of said animals starts from its origin.

(d) In lieu of the certificate provided for in subdivision (c) of this section, horses and mules may be brought into the State of California, provided said animals are accompanied by a signed statement issued by the State veterinarian or other authority in charge of live stock sanitary work in the State from which said animals are transported, stating that each animal in the shipment is free from communicable diseases and has not recently been exposed to any communicable disease, and a copy of said statement shall be mailed to the State veterinarian of the State of California on the day the shipment of said animals starts from its origin.



SEC. 2. Animals accompanying shipments of emigrant movables shall be exempt from the inspection or certification as provided for in this act. It is further provided that when horses, mules, dairy and breeding cattle are being brought into the State of California for exhibition or theatrical purposes, said animals shall likewise be exempt from the inspection and certification as provided for in this act: *Provided, however,* That when dairy or breeding bulls which have been brought into the State of California for exhibition purposes are sold to remain in the State of California, said animals shall be subjected to the tuberculin test and certified to as free from tuberculosis by the State veterinarian of the State of California before said animals are delivered to the purchaser.

SEC. 3. Whenever it shall have been determined by the State veterinarian that a communicable disease exists among domestic animals in any other State or Territory in the United States or foreign country, and the importation of animals from said State or Territory or foreign country might spread such disease among animals within the State of California, nothing in this act shall be so construed as to prevent or prohibit the governor of the State of California from issuing his proclamation quarantining said State or Territory or foreign country or from prescribing the regulations under which animals might be imported into the State of California from said State or Territory or foreign country.

SEC. 4. That certain act of the legislature of the State of California approved June 4, 1913,<sup>1</sup> entitled "An act to prevent the importation into the State of California of horses, mules, asses, or cattle which are affected with any infectious or contagious disease; to provide for the inspection of such animals before they are brought into the State; to repeal an act entitled 'An act to prevent the importation of neat cattle for dairy or breeding purposes affected with tuberculosis into the State of California,' approved March 7, 1911; to repeal an act entitled 'An act to prevent the importation of horses, mules, and asses affected with glanders into the State of California,' approved March 7, 1911," is hereby repealed.

SEC. 5. Any person, firm, company, or corporation, their agents, servants, and employees, who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than \$500, or by imprisonment in the county jail for a term not exceeding 180 days, or by both such fine and imprisonment.

**Sewers, Water Mains, and other Conduits—Construction, Maintenance, and Use  
Jointly by Two or More Municipalities. (Chap. 75, Act Apr. 17, 1915.)**

SECTION 1. Section 4 of an act entitled "An act authorizing municipal corporations to permit other municipal corporations to construct and maintain sewers, water mains, and other conduits therein, also to construct and maintain sewers, water mains, and other conduits for their joint benefit, and at their joint expense, and to make and enter into contracts for said purposes," approved March 22, 1909, as amended, is hereby amended so as to read as follows:

4. Whenever the councils, sanitary boards or other legislative bodies of two or more municipal corporations, two or more sanitary districts, or one or more municipal corporations, and one or more sanitary districts, shall find, and by resolutions adopted by them shall declare, that it will be for the interest or advantage of such municipal corporation or sanitary district so to do, such municipal corporations or sanitary districts, by their respective city councils, sanitary boards, or other legislative bodies, may enter into a joint agreement authorizing the construction and maintenance of sewers, water mains, or other conduits situated in the streets or other public places of either or any of such municipal corporations or sanitary districts, or in part outside of the limits thereof, at the joint cost and expense of, and for the joint use and benefit of

<sup>1</sup> Reprint No. 264 from the Public Health Reports, p. 85.

such municipal corporations or sanitary districts, upon such terms and conditions, and under such regulations, as may be approved by the city councils, sanitary boards or other legislative bodies of all such municipal corporations or sanitary districts; and the city council, sanitary boards, or other legislative body of each such municipal corporation or sanitary district may bind and obligate such municipal corporation or sanitary district to pay such proportionate part of the cost of the construction and maintenance of such sewers, water mains, or other conduits at such times and in such installments as may be so approved.

All contracts for the construction of sewers, water mains, or other conduits, under the provisions of this section, shall be made and entered into by the one of such municipal corporations or sanitary districts designated by the city councils, sanitary boards, or other legislative bodies of all such municipal corporations or sanitary districts, and in the manner provided in section 3 of this act. Two or more municipal corporations, two or more sanitary districts, or one or more municipal corporations and one or more sanitary districts, may also, by their city councils, sanitary boards, or other legislative bodies, enter into an agreement or agreements with each other for the joint use by such municipal corporations or sanitary districts of any sewers, water mains, or other conduits theretofore, in whole or in part, constructed in the streets or other public places of either or any such municipal corporations or sanitary districts, upon such terms and conditions as they may, by mutual agreement made by their respective city councils, sanitary boards, or other legislative bodies, determine to be proper. Authority is hereby specifically granted to use the streets within the public corporations entering into such an agreement for the construction and maintenance of sewers provided for by such agreement and whenever it is necessary to extend such sewers without the limits of the public corporations entering into such agreement, then authority is hereby granted to use public highways without the limits of an incorporated city for the construction and maintenance of such sewers, subject only to the right of the board of supervisors to make reasonable police regulations for the protection of the highways so used.

**Mosquitoes, Flies, and Other Insects—Abatement Districts Authorized. (Chap. 584, Act May 29, 1915.)**

SECTION 1. Mosquito-abatement districts may be organized and incorporated and managed as herein expressly provided, and may exercise the powers herein expressly granted or necessarily implied.

SEC. 2. Any county, or city and county, or portion of a county, or city and county, whether such portion includes incorporated territory or not, in the State of California, having a population of not less than 100 inhabitants, may be created a mosquito-abatement district under the provisions of this act by proceeding as herein provided.

SEC. 3. A petition, which may consist of any number of separate instruments, shall be presented at a regular meeting of the board of supervisors of the county in which the proposed mosquito-abatement district is located, signed by the registered voters within the boundaries of the proposed district, equal in number to at least 10 per cent of the number of votes cast in said proposed district for the office of governor of this State at the last general election prior to the presenting of the petition: *Provided*, That where one or more municipal corporations or part thereof is included in such proposed mosquito-abatement district, such petition must be signed by at least 10 per cent of the qualified electors of such municipal corporations or part thereof and of the unincorporated territory included in such proposed district, and in addition thereto the common council, board of trustees, or other governing body of each such municipality shall by resolution, duly authenticated, request the inclusion of such incorporated territory in such district.

Such petition shall set forth and describe the proposed boundaries of such district, and shall pray that the same be created under the provisions of this act, and the text

of such petition shall be published for at least two weeks before the time at which the same is to be presented in a newspaper printed and published in such county, and also a newspaper printed and published in each municipal corporation or part thereof included in such proposed district, and if there be no newspaper published in any such municipal corporation, the text of such petition shall be posted for the same length of time as required to be published, in three public places within such municipal corporation or part thereof included in such proposed district, and the text of such petition so published or posted shall have annexed thereto a notice stating the time of the meeting of the board of supervisors at which the same will be presented. When contained upon more than one instrument, one copy only of such petition need be published and posted. No more than five of the names attached to said petition need appear in such publication or posting of said petition and notice, but the number of signers shall be stated.

With such publication there shall also be published, and if posted, there shall also be posted, a notice of the time of the meeting of the board when such petition will be considered, and that all persons interested therein may then appear and be heard.

At such time the board of supervisors shall hear the petition and those appearing thereon, and also all protests and objections to the same, and may adjourn such hearing from time to time, not exceeding two months in all. No defect in the contents of the petition or in the title to or form of the notice or signatures, or lack of signatures thereto, shall vitiate any proceedings thereon, provided such petition or petitions have a sufficient number of qualified signatures attached thereto. On the final hearing said board shall make such changes in the proposed boundaries as may be deemed advisable and shall define and establish such boundaries: *Provided*, That if said board deems it proper to include therein any territory not included within the said proposed boundaries, they shall first cause notice of their intention so to do to be mailed to each owner of land within said territory proposed to be included whose name appears as such on the last completed assessment roll of the county or city and county wherein said territory lies, addressed to such owner at his address given on such assessment roll, or if no address is so given, then to his last known address; or if it be not known, then at the county seat of the county in which his land lies, which said notice shall describe the territory so proposed to be included, and shall fix a time, not less than two weeks from the date of mailing thereof, when all persons interested may appear before said board and be heard: *And, further provided*, That the boundaries lying within a municipal corporation shall not be altered unless the municipal board of such municipal corporation shall, by resolution, assent to the alteration of such boundaries therein.

Upon such hearing of such petition the board shall determine whether or not the public necessity or welfare of the proposed territory and of the inhabitants thereof requires the formation of such district, and shall also determine whether or not said petition complies with the provisions of this act, and for that purpose must hear all competent and relevant testimony offered in support of or in opposition thereto. A finding of the board of supervisors in favor of the genuineness and sufficiency of the petition and notice shall be final and conclusive against all persons except the State of California, upon suit commenced by the attorney general. If, from the testimony adduced before said board, it appears to said board that the public necessity or welfare requires the formation of such district, the said board shall, by an order entered on its minutes, declare such to be its finding, and shall further declare and order that the territory within the boundaries so fixed and determined, be created a mosquito abatement district, under an appropriate name to be selected by said board, which name shall contain the words "Mosquito abatement district." The county clerk shall immediately cause to be filed with the secretary of state a certified copy of such order of the board of supervisors, and from and after the date of the filing of such certified copy, the district named therein shall be deemed incorporated as a mosquito abatement district, with all the rights, privileges, and powers set forth in this act, and necessarily incident thereto.

SEC. 4. Within 30 days after the said filing with the secretary of state of the certificate of incorporation of said district, a governing board of trustees for said district shall be appointed. Said board shall consist of one trustee to be appointed from said district at large by said board of supervisors and of one trustee to be appointed from each municipality in said district by the governing board of such municipality: *Provided*, That if the board of trustees thereby created shall consist of less than five members, then the board of supervisors shall appoint from such district at large enough additional members to make a board of five trustees. The governing board of such district shall be called "The Board of Trustees of ——— Mosquito Abatement District." Each trustee appointed by a municipal board shall be an elector of the municipality from which he is appointed, and each appointee of the board of supervisors shall be an elector of the district. All such trustees shall hold office for the term of two years from and after the second day of the calendar year succeeding their appointment: *Provided, however*, That the first board of trustees appointed under the provisions of this act shall, at their first meeting, so classify themselves by lot that one-half of their number, if the total membership is an even number, and if uneven then that a bare majority of their number shall go out of office at the expiration of one year and the remainder at the expiration of two years, from the second day of the calendar year succeeding their appointment.

SEC. 5. The members of the board of trustees shall meet on the first Monday subsequent to 30 days after the filing with the secretary of state of the certificate of incorporation of said district and shall organize by the election of one of their members as president and one thereof as secretary. The members of the board shall serve without compensation except that the necessary expenses of each member for actual traveling expenses on meetings or business connected with said board shall be allowed and paid. In event of the resignation, death, or disability of any member, his successor shall be appointed by the board of supervisors, if such board originally made such appointment, or by the governing board of the appropriate municipality, if such appointment were originally made by the board of a municipality. The board of trustees shall provide for the time and place of holding its regular meetings, and the manner of calling the same, and shall establish rules for its proceedings. Special meetings shall be called by three trustees and notice of the holding thereof shall be given to each member at least three hours before the meeting. All of its sessions, whether regular or special, shall be open to the public, and a majority of the members of the board shall constitute a quorum for the transaction of business.

SEC. 6. The board of trustees of such district shall have power to take all necessary or proper steps for the extermination of mosquitoes, flies, or other insects within the district, and subject to the paramount control of the municipal or other public authorities, to abate as nuisances all stagnant pools of water and other breeding places for mosquitoes, flies, or other insects within the district; to purchase such supplies and materials and to employ such labor as may be necessary or proper in furtherance of the objects of this act, and if necessary or proper, in the furtherance of the same, to build, construct, and thereafter to repair and maintain, necessary levees, cuts, canals, or channels upon any land within the district, and to acquire by purchase, condemnation, or by other lawful means, in the name of the district, any necessary lands, rights of way, easements, property, or material requisite or necessary for any of such purposes; to make contracts to indemnify or compensate any owner of land or other property for any injury or damage necessarily caused by the exercise of the powers by this act conferred or arising out of the use, taking, or damage of such property for any of such purposes, and generally to do any and all things necessary or incident to the powers hereby granted and to carry out the objects specified herein.

SEC. 7. The board of trustees of each mosquito abatement district shall, at least 15 days before the first day of the month in which the board of supervisors of the county, or city and county, in which such district is situate is required by law to levy the

amount of taxes required for county, or city and county, purposes, furnish to the board of supervisors and to the county auditor, respectively, an estimate in writing of the amount of money necessary for all purposes required under the provisions of this act during the next ensuing fiscal year. The board of supervisors of such county, or city and county, shall thereafter, at the time and in the manner of levying other county, or city and county, taxes levy upon all of the taxable property within the district and cause to be collected a tax to be known as the "—— mosquito abatement district tax," the maximum rate of which must not be greater than sufficient to raise the amount estimated to be raised by the said board of trustees of the district, nor in any event shall such tax exceed 10 cents on each \$100 of taxable property in such district.

Whenever it appears to the board of trustees of such district that the amount of funds required during the next ensuing fiscal year shall exceed the maximum amount which the supervisors are authorized to levy for the annual district tax, as hereinabove in this section provided, then said board of trustees may in their judgment call an election and submit to the electors of the district the question of whether a tax shall be voted for raising the necessary additional funds, and notice thereof shall be published for at least four weeks prior to such election in a newspaper printed and published in such district: *Provided*, That no particular form of ballot shall be required nor shall any formalities in conducting such election invalidate the same if the election shall have otherwise been fairly conducted. At such election the ballots must contain the words "Shall the district vote a tax to raise the additional sum of \$——?" The board of trustees shall canvass said votes cast at such election and if a majority of the votes cast are in favor of the imposition of said tax the board of trustees must report the same to the board of supervisors, stating the additional amount of money required to be raised. The board of supervisors shall at the time of levying the county taxes, levy an additional tax upon all of the taxable property in the district voting such additional tax sufficient to raise the amount voted.

All taxes levied under the provision of this section shall be computed and entered on the county assessment roll by the county auditor, and collected at the same time and in the same manner as state and county taxes; and when collected shall be paid into the county treasury for the use of the district.

The funds shall be withdrawn from the county treasury upon the warrant of the board of trustees of such district signed by the president or acting president of the board, and countersigned by its secretary.

SEC. 8: Any territory, incorporated or unincorporated, lying adjacent and contiguous to a mosquito abatement district, may be added and annexed to such district, at any time, upon proceedings being had and taken as in this act provided. The board of trustees of such district, upon receiving a written petition therefor containing a description of the new territory sought to be annexed to such district, signed by the owners comprising more than one-half of the assessed value of such territory as shown by the last county assessment roll, must thereupon submit to the electors of the district and also to the electors residing in the territory sought to be annexed, the proposition of whether such proposed territory shall be annexed and added to such district. The proposition to be submitted to the electors at such election, both within said district and within said territory so proposed to be annexed, shall be as follows: "For annexation," or "Against annexation," or words equivalent thereto. Such election must be called and held, and notice thereof shall be published for at least four weeks prior to such election in a newspaper printed and published in such district, and also in a newspaper printed and published in such territory so proposed to be annexed. The board of trustees shall canvass, separately, the votes cast within said district, and the votes cast within said territory so proposed to be annexed, and if it shall appear from such canvass that a majority of all the ballots cast in such district and a majority of all the ballots cast in such territory so proposed to be annexed are

in favor of annexation, the board of trustees shall certify such fact to the secretary of state describing said property proposed to be annexed and upon receipt of such last mentioned certificate, the secretary of state shall thereupon issue his certificate reciting that the territory (describing the same) has been annexed and added to the ——— mosquito abatement district (naming it), and a copy of such certificate of the secretary of state shall be transmitted to and filed with the county clerk of the county, or city and county, in which such mosquito abatement district is situated. From and after the date of such certificate the territory named therein shall be deemed added and annexed to and form a part of said mosquito abatement district, with all the rights, privileges and powers set forth in this act and necessarily incident thereto. If the property so proposed to be annexed is included within a municipality, consent to such annexation shall first be obtained from the governing board of such municipality, and an authenticated copy of the resolution or order of such board so consenting to such annexation, shall be attached to the petition, and be made a part thereof.

SEC. 9. The district may at any time be dissolved upon the vote of two-thirds of the qualified electors thereof, upon an election called by its board of trustees upon the question of dissolution, and the proposition which shall be submitted to the electors at such election shall be as follows: "Shall the district be dissolved?" Such election must be called and held; and notice thereof shall be published for at least four weeks prior to such election in a newspaper printed and published in such district. If two-thirds of the votes at such election shall be in favor of the dissolution of the district, the board of trustees shall certify such fact to the secretary of state, and upon receipt of such last-mentioned certificate the secretary of state shall thereupon issue his certificate reciting that the mosquito abatement district (naming it) has been dissolved, and a copy of such certificate of the secretary of state shall be transmitted to and filed with the county clerk of the county, or city and county, in which such mosquito abatement district is situated. From and after the date of such certificate the district named therein shall be deemed disincorporated, and the property of the district shall thereupon vest in the county, or city and county wherein said district is situate, if the district at the time of its dissolution comprises unincorporated territory alone, and if it comprises incorporated territory alone, or partly incorporated and partly unincorporated territory, then in such event its property shall be ratably apportioned among the several municipalities and the county or city and county, in proportion to the assessed value of the property included within said district as shown upon the last county assessment roll: *Provided, however*, That any real property, easements, or rights of way belonging to said district shall in such event remain the property of the municipality wherein the same is situate, if situated within incorporated territory, otherwise the same shall remain the property of the county.

SEC. 10. Every notice herein required to be published may be published in a daily or weekly or semiweekly newspaper; and if there is no daily or weekly or semiweekly newspaper published within the district or within a subdivision thereof or other territory wherein the same is required to be published, then such notice shall be posted for the length of time herein required for the publication of the same in three public places of such district or such subdivision thereof or such other territory as the case may be. The term "municipality," as used in this act, shall include a consolidated city and county, city or town, and shall be understood and so construed as to include, and is hereby declared to include, all corporations heretofore organized and now existing, and those hereafter organized, for municipal purposes. The word "district" shall apply, unless otherwise expressed or used, to a mosquito abatement district formed under the provisions of this act, and the word "trustees" and the words "board of trustees," shall apply to the trustees and to the board of trustees of such district.

SEC. 11. If any section, subsection, sentence, clause, or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have

passed this act, and each section, subsection, sentence, clause, and phrase thereof irrespective of the fact that any one or more other sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

**Municipal Sewer Districts—Establishment and Maintenance. (Chap. 575, Act May 29, 1915.)**

SECTION 1. Section 2 of an act entitled "An act to provide for the division of municipalities into sewer districts and for the construction of or acquisition and maintenance of sewers therein, providing a system of district sewer bonds to pay the cost of such construction of or acquisition, and also for the payment of such bonds," approved April 14, 1911, is hereby amended to read as follows:

"SEC. 2. Whenever the legislative body of such city, town, or municipal corporation shall, by resolution passed by a vote of two-thirds of all its members and approved by the executive of such municipality, determine that the public interest or convenience requires the construction of or acquisition by purchase or otherwise of a sewer or any sewers in any part of the territory of such municipality, said legislative body shall describe in said resolution a district describing the boundaries thereof, naming and numbering the same as hereinabove provided, and declare said district to be the district benefited by said work or improvement or acquisition of such sewer, which said resolution shall name a day for the hearing of any and all objections by all or any persons interested in the formation of such sewer district or in the including of any of the lots, pieces, or parcels of land within the boundaries so described in said resolution within such sewer district, which said resolution, together with the names of the members of said legislative body voting for and against said resolution and the name of the executive approving said resolution, shall be published for at least two weeks successively next before the day fixed for said hearing in some newspaper of general circulation printed and published in such municipality.

"On the day fixed for said hearing, or any day to which said hearing may have been adjourned, said legislative body shall hear and consider any and all objections presented either to the formation of said sewer district or to the including of any lands in the boundaries of said sewer district, and, if, after the hearing of said objections, it shall be determined by a vote of two-thirds of all the members of said legislative body that the public interest requires the formation of such sewer district, then said legislative body shall proceed to fix and determine the boundaries thereof, making all necessary and proper changes in the boundaries as proposed and fixed in said resolution and shall, by a resolution passed by a vote of two-thirds of all its members, and approved by the executive of such municipality, establish such sewer district, permanently fix and determine the boundaries thereof, which said resolution, together with the names of the members of said legislative body voting for and against said resolution, together with the name of the executive approving said resolution, be spread upon the minutes of said legislative body. And at any subsequent meeting after the passage and recording of the said resolution, the said legislative body may, by ordinance passed by a vote of two-thirds of all of its members, and also approved by the said executive, adopt plans and specifications for the proposed sewer work, if to be constructed, and also describe the territorial district upon which the expense of such proposed sewer work or improvement, or acquisition, shall be chargeable, as hereinafter provided, and shall provide therein for a special election to be held in such city, town, or municipal corporation.

"At such election there shall be submitted to the qualified electors of such city, town, or municipal corporation the proposition of incurring indebtedness for the purposes set forth in said resolution, and no question other than the incurring of the indebtedness for such purposes shall be submitted at such special election. The ordinance calling such special election shall also recite the objects and purposes for which the proposed indebtedness is to be incurred, the estimated cost of the proposed sewer work, improvement, or sewer system to be acquired, the amount of the principal

of the indebtedness to be incurred therefor, and the rate of interest to be paid on said indebtedness, and shall fix the date on which such special election shall be held, the manner of holding such election, and the manner of voting for or against the incurring of such indebtedness. In all particulars not recited in such ordinance, such election shall be held as is provided by law for holding general municipal elections in such city, town, or municipal corporation. The maximum rate of interest to be paid on such indebtedness shall be 6 per cent per annum, payable semiannually."

SEC. 2. Section 3 of said act is hereby amended to read as follows:

"SEC. 3. Said ordinance shall be published once a day for five days prior to the date set for such election in some newspaper of general circulation printed and published in such municipality, designated by the legislative body of said city, town, or municipal corporation, which newspaper is published once a day for at least six days a week in such municipality, or such ordinance shall be published once a week for two weeks prior to the date set for such election in some newspaper of general circulation, printed and published in such municipality, designated by said legislative body, and published less than six days a week in such municipality, and one insertion thereof in such last-described newspaper each week for two successive weeks prior to the date set for such election by the legislative body of said city, town, or municipal corporation, shall be a sufficient publication in such newspaper published less than six days a week.

"In municipalities where no newspaper is published, such ordinance shall be posted in three public places in the said sewer district for two successive weeks prior to the date set for such election by the legislative body of said city, town, or municipal corporation. No other notice of such election need be given. It shall require the affirmative votes of two-thirds of all the aforesaid qualified electors of said city, town, or municipal corporation voting at such election to authorize the incurring of said indebtedness and the issuance of bonds therefor as provided herein: *Provided, however,* If the proposition so submitted at such election fail to receive the requisite number of votes of the aforesaid qualified electors of such city, town, or municipal corporation voting at such election to incur the indebtedness for the purpose specified, the legislative branch of such municipality shall have no power or authority within six months after such election to pass any ordinance calling another election for incurring any indebtedness for sewer work within any sewer district which has within its boundaries any of the territory of the district in which, at said election, the requisite number of votes for the issuance of said bonds has not been cast therefor."

SEC. 3. Section 6 of said act is hereby amended to read as follows:

"SEC. 6. Before the legislative body of such city, town, or municipal corporation shall award the contract for doing any sewer work or improvement, the expense of which is to be paid out of the proceeds of sales of the bonds issued in accordance with the provisions of this act, said legislative body of said city, town, or municipal corporation shall cause notice with specifications to be posted conspicuously for five days on or near the chamber door of said legislative body, inviting sealed proposals or bids for doing said sewer work or improvement, and shall also cause notice of said work inviting said proposals and referring to the specifications posted or on file, to be published for two consecutive insertions in a daily, semiweekly, or weekly newspaper, published and circulated in said city, town, or municipal corporation, designated by said legislative body for that purpose, and in case there is no newspaper published in said city, town, or municipal corporation, then it shall only be posted as hereinbefore provided. All proposals or bids offered shall be accompanied by a check, payable to the order of the executive officer of said city, town, or municipal corporation, certified by a responsible bank for an amount which shall be not less than 10 per cent of the aggregate of the proposal, or by a bond for the said amount, and so payable, signed by the bidder and by two sureties who shall justify before an officer competent to administer an oath, in double such amount, and over and above all statutory exemptions.



"Said proposals or bids shall be delivered to the clerk of said legislative body, and said legislative body shall in open session examine and publicly declare the same. Said legislative body may reject any or all proposals or bids should it deem this for the public good, and shall reject all proposals or bids other than the lowest proposal or bid of any responsible bidder, and may award the contract for said work or improvement to the lowest responsible bidder at the price named in his bid, which award shall be approved by the executive officer of said city, town, or municipal corporation, or a three-fourths vote of the legislative body of said city, town, or municipal corporation. If not approved by said executive officer or a three-fourths vote of said legislative body, without further proceedings the said legislative body may readvertise for proposals or bids for the performance of the work as in the first instance, and thereafter proceed in the manner in this section provided, and shall thereupon return to the proper parties the respective checks and bonds corresponding to the bid so rejected. But the checks accompanying such accepted proposals or bids shall be held by the clerk of said city, town, or municipal corporation until the contract for doing said work has been entered into by said lowest bidder whose bid is accepted and approved. But if said bidder fails, neglects, or refuses to enter into the contract to perform said work within 10 days after said contract shall have been awarded, then the certified check accompanying his bid and the amount therein mentioned shall be declared to be forfeited to said city, town, or municipal corporation. The said legislative body shall have the right to require such bonds as they may deem adequate from the bidder to whom the contract for said work or improvement is awarded, to insure the faithful performance of said contract.

"Such officer of said city, town, or municipal corporation as the legislative body thereof shall designate is authorized, in his official capacity, to make all written contracts and to receive all bonds authorized by this act, and is authorized to fix the time for the commencement, which shall not be more than 15 days from the date of the contract, and for the completion of the work under all contracts entered into by him, which work shall be prosecuted with diligence from day to day until completion, and he may extend the time so fixed from time to time under the direction of said legislative body of said city, town, or municipal corporation: *Provided, however*, That nothing herein contained shall be construed as prohibiting such city, town, or municipal corporation itself from constructing or completing such sewer or improvement and buying the material and employing the labor necessary therefor: *Provided, however*, That this section shall not apply where sewer systems or any part of a sewer system already constructed has been or is to be acquired under this act: *And provided further*, That in cities, towns, and municipal corporations operating under a charter heretofore or hereafter framed, under section 8, article 11, of the constitution of the State of California, and providing for a board or department of public works, all the things required in this section to be done and performed by the legislative body of the municipality shall be done and performed by the board or department of public works of such city, town, or municipal corporation, and in case such charter also prescribed the manner of letting and entering into contracts for the furnishing of labor, materials, or supplies for the construction or completion of public works or improvements, all contracts for the construction or completion of sewer work or improvement shall be let and entered into in conformity with the provisions of such charter."

**Sanitary Districts—Validation of Organization and Changes of Boundaries. (Chap. 537, Act May 27, 1915.)**

**SECTION 1.** All sanitary districts formed under the provisions of an act entitled "An act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State for the constructing of sewers and other sanitary purposes, the acquisition of property thereby, the calling and conducting of elections in such districts, the assessment, levying, collection, custody, and disbursement of

taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds and the disposal of their proceeds," approved March 31, 1891, and the acts amendatory and supplementary thereto, and which sanitary districts have acted in the form and manner of sanitary districts under the provisions of said act, are hereby declared to be and have been sanitary districts from the date of the entry in the minutes of the board of supervisors of an order that the sanitary district has been duly established and all proceedings of the sanitary districts, whereby the boundaries thereof have been altered and outlying contiguous territory in the same county as such sanitary district, annexed thereto, and all other acts of said sanitary districts heretofore performed according to the act aforesaid, are hereby validated and declared to be legal.

**Camps—Cleanliness—Air Space—Toilet Facilities—Garbage and Waste—Inspection—Penalty. (Chap. 329, Act May 18, 1915.)**

SECTION 1. An act regulating the sanitation and ventilation in and at camps where five or more persons are employed; and providing a penalty for the violation thereof, approved May 29, 1913,<sup>1</sup> is hereby amended to read as follows:

"SECTION 1. In or at any camp where five or more persons are employed, the bunk houses, tents, and other sleeping places of such employees shall be kept in a cleanly state, and free from vermin and matter of an infectious and contagious nature, and the grounds around such bunk houses, tents, or other sleeping places shall be kept clean and free from accumulations of dirt, filth, garbage, and other deleterious matter.

"SEC. 2. Every bunk house, tent, or other sleeping place used for the purpose of a lodging or sleeping apartment in such camp shall contain sufficient air space to insure an adequate supply of fresh air for each person occupying such bunk house, tent, or other sleeping place. The bunks or beds shall be made of iron, canvas, or other sanitary material and shall be so constructed as to afford reasonable comfort to the persons occupying such bunks or beds.

"SEC. 3. Every mess house, dining room, mess tent, dining tent, kitchen, or other structure where food is cooked, prepared, or served in such camp shall be kept in a clean and sanitary state and the openings of such structures shall be screened.

"SEC. 4. For every such camp there shall be provided convenient and suitable privy or other toilet facilities, which shall be kept in a clean and sanitary state. A privy other than a water-closet shall consist of a pit at least 2 feet deep, with suitable shelter over the same, and the openings of the shelter and pit shall be inclosed by screening or other suitable fly netting. No privy pit shall be filled with excreta to nearer than 1 foot from the surface of the ground and the excreta in the pit shall be covered with earth, ashes, lime, or other similar substance.

"SEC. 5. All garbage, kitchen wastes, and other rubbish in such camp shall be deposited in suitable covered receptacles which shall be emptied daily or oftener if necessary, and the contents burned, buried, or otherwise disposed of in such a way as not to be or become offensive or insanitary.

"SEC. 6. It shall be the duty of any person, firm, corporation, agent, or officer of a firm or corporation employing persons to work in or at camps to which the provisions of this act apply and the superintendent or overseer in charge of the work in or at such camps to carry out the provisions of this act.

"SEC. 7. The Commission of Immigration and Housing of California shall administer this act and secure the enforcement of the provisions thereof, and for such purposes shall have the right to enter and inspect all camps to which the provisions of this act apply. Any camp coming under the provisions of this act which does not conform to the provisions of this act is hereby declared a public nuisance and if not made to so conform within five days, or within such longer period of time as may be allowed by

<sup>1</sup> Reprint No. 264 from the Public Health Reports, p. 86.

the Commission of Immigration and Housing of California, after written notice given by the said commission, shall be abated by proper action brought for that purpose in the superior court of the county in which such camp, or the greater portion thereof, is situated.

"Sec. 8. Any person, firm, corporation, agent, or officer of a firm or corporation, or any superintendent or overseer in charge of the work in or at any camp coming under the provisions of this act, who shall violate or fail to comply with the provisions of this act, is guilty of a misdemeanor, and shall upon conviction thereof, be punished by a fine of not more than \$200, or by imprisonment for not more than 60 days, or by both such fine and imprisonment."

SEC. 2. Out of any money in the State treasury not otherwise appropriated the sum of \$10,000 or so much thereof as may be necessary is hereby appropriated to be expended by the Commission of Immigration and Housing of California in accordance with law to carry out the provisions of this act.

**Mattresses—Making, Remaking, and Sale—Labeling. (Chap. 641, Act June 7, 1915.)**

SECTION 1. (1) The term "mattress," as used in this act, shall be construed to mean any quilted pad, comforter, mattress, mattress pad, bunk quilt, or cushion stuffed or filled with wool, hair, or other soft material to be used on a couch or other bed for sleeping or reclining purposes.

(2) The term "person," as used in this act, shall be construed to include all individuals and all firms or copartnerships.

(3) The term "corporation," as used in this act, shall be construed to include all corporations, companies, associations, and joint-stock associations or companies.

(4) Whenever the singular is used in this act it shall be construed to include the plural; whenever the masculine is used in this act it shall include the feminine and neuter genders.

SEC. 2. (1) No person or corporation, by himself or by his agents, servants, or employees, shall employ or use in the making, remaking, or renovating of any mattress any material of any kind that has been used in or has formed a part of any mattress used in or about any public or private hospital or institution for the treatment of persons suffering from disease, or for or about any person having any infectious or contagious disease; any material known as "shoddy," and made in whole or in part from old or worn clothing, carpets, or other fabric, or material previously used, or any other fabric or material from which shoddy is constructed; any material, not otherwise prohibited by this act, of which prior use has been made, unless any and all of said material have been thoroughly sterilized and disinfected by a reasonable process approved by the board of health of the city or town where said mattress is made, remade, or renovated.

(2) No person or corporation, by himself or by his agents, servants or employees, shall sell, offer to sell, deliver, or consign, or have in his possession with intent to sell, deliver, or consign any mattress made, remade, or renovated in violation of subsection 1 of this section.

SEC. 3. No person or corporation, by himself or his agents, servants or employees, shall, directly or indirectly, at wholesale or retail, or otherwise, sell, offer for sale, deliver, or consign, or have in his possession with intent to sell, deliver, or consign, any mattress that shall not have plainly and indelibly stamped or printed thereon, or upon a muslin or linen tag not smaller than 3 inches square securely sewed to the covering thereof, a statement in the English language setting forth the kind or kinds of materials used in filling the said mattress, and whether the same are in whole or in part, new or old, or secondhand, or shoddy, and the name and address of the manufacturer or vendor thereof, or both.

SEC. 4. Whenever the word "felt" as applied to cotton is used in the said statement concerning any mattress it shall be designated in said statement whether said felt is "felted cotton" or "felted linters."

SEC. 5. It shall be unlawful to use in the said statement concerning any mattress the word "floss" or words of like import if there has been used in filling said mattress any materials which are not termed as "Kapok."

SEC. 6. It shall be unlawful to use in said statement concerning any mattress the word "hair" unless said mattress is entirely manufactured of animals' hair.

SEC. 7. It shall be unlawful to use in the description in the said statement any misleading term or designation, or term or designation likely to mislead.

SEC. 8. Any mattress made from more than one new material, shall have stamped upon the tag attached thereto the percentage of each material so used.

SEC. 9. Any mattress made from any material of which prior use has been made shall have stamped or printed upon the tag attached thereto in type not smaller than 20-point the words "secondhand material."

SEC. 10. Any mattress made from material known as "shoddy" shall have stamped or printed upon the tag attached thereto in type not smaller than 20-point the words "shoddy material."

SEC. 11. The statement required under section 3 of this act, shall be the following form:

MATERIALS USED IN FILLING.

.....  
 .....  
 .....  
 Vendor .....  
 Address .....

This article is made in compliance with the act of the State of California, approved the ..... day of .....

SEC. 12. Any person who shall remove, deface, alter, or in any manner attempt the same, or shall cause to be removed, defaced, or altered, any mark or statement placed upon any mattress under the provisions of this act shall be guilty of a violation of this act.

SEC. 13. The unit for a separate and distinct offense in violation of this act shall be each and every mattress made, remade, renovated, sold, offered for sale, delivered, consigned, or possessed with intent to sell, deliver, or consign, contrary to the provisions hereof.

SEC. 14. Any person or corporation violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$20, and not to exceed \$100, for each offense, or by imprisonment for not less than three months and not exceeding six months or by both such fine and imprisonment.

SEC. 15. Any individual who has reason to believe that this act has been or is being violated may institute proceedings to enforce this act and to punish violations of its provisions.

**Advertisements—Untrue, Deceptive, or Misleading, Prohibited. (Chap. 634, Act June 1, 1915.)**

SECTION 1. Section 654a of the penal code is hereby amended to read as follows:

654a. Any person, firm, corporation, or association, or any employee thereof, who, with intent to sell, furnish, perform, or in any way dispose of real or personal property, choses in action, merchandise, service, professional or otherwise, or anything of any nature whatsoever offered by such person, firm, corporation, or association, or any employee thereof, directly or indirectly, to the public for sale or distribution, or to induce the public in any manner to enter into any obligation relating thereto, or to acquire title thereto or any interest therein, shall make, publish, disseminate, circu-

late, or cause to be made, published, disseminated, or circulated, or in any manner place or cause to be placed before the public in the State of California, in any newspaper, magazine, book, pamphlet, circular, letter, notice, handbill, poster, or other publication, or on any billboard, sign, card, label, or other advertising medium, or by means of any electric sign, window sign, show-case or window display, or by any other advertising device, or by public outcry or proclamation, or in any other manner or means whatever, an advertisement of any sort regarding such real or personal property, choses in action, merchandise, service, or anything so offered to the public, which advertisement shall contain any statement, representation, or assertion concerning such real or personal property, choses in action, merchandise, service, or anything so offered to the public, or concerning any circumstance or matter of fact connected in any way, directly or indirectly, with the proposed sale, performance or disposition thereof, which statement, representation, or assertion is false or untrue in any respect, or which is deceptive or misleading, and which is known, or which by the exercise of reasonable care should be known, to be false or untrue, deceptive, or misleading by the person, firm, corporation, or association making, publishing, disseminating, circulating, or placing before the public said advertisement, shall be guilty of a misdemeanor: *Provided, however,* That this act shall not apply to any publisher of a newspaper, magazine, or other publication who publishes said advertisement in good faith, without knowledge of its false, deceptive, or misleading character.

**Weeds—When Declared a Nuisance—Abatement of. (Chap. 511, Act May 26, 1915.)**

SECTION 1. All weeds growing upon the streets or sidewalks or upon private property within municipalities, which bear seeds of a wingy or downy nature or attain such a large growth as to become a fire menace when dry, or which are otherwise noxious or dangerous may be declared to be a public nuisance by the legislative body of any municipality, and thereafter abated as in this act provided.

SEC. 2. Whenever any such weeds are growing upon any street or sidewalk or private property the legislative body of any municipality may, by resolution, declare the same to be a public nuisance. Said resolution shall refer to the street by the name under which it is commonly known, and describe the property upon which or in front of which said nuisance exists by giving the lot and block number of the same according to the official map, or the assessment map of such municipality used for describing property on tax bills; and no other description of said property shall be required. Any number of streets, sidewalks, or parcels of private property may be included in one and the same resolution.

SEC. 3. After the passage of said resolution, the street superintendent shall cause to be conspicuously posted in front of the property on which or in front of which such nuisance exists, at not more than 100 feet in distance apart, but not less than three in all, notices headed "Notice to destroy weeds," such heading to be in words not less than 1 inch in height and substantially in the following form:

**NOTICE TO DESTROY WEEDS.**

Notice is hereby given that on the ..... day of ....., 19.., the (name of the legislative body) passed a resolution declaring that noxious or dangerous weeds were growing upon or in front of the property on ..... street, in said ....., and more particularly described in said resolution, and that the same constitute a public nuisance which must be abated by the removal of said noxious or dangerous weeds, otherwise they will be removed and the nuisance will be abated by the municipal authorities, in which case the cost of such removal shall be assessed upon the lots and lands from which or in front of which such weeds are removed, and such cost will constitute a lien upon such lots or lands until paid. Reference is hereby made to said resolution for further particulars.

All property owners having any objections to the proposed removal of such weeds are hereby notified to attend a meeting of the (name of the legislative body) of said (city or town) to be held (give date), when their objections will be heard and given due consideration.

Dated this .... day of ....., 19...

.....  
Street superintendent (city or town of .....).

Said notices shall be posted at least five days prior to the time for hearing objections by the legislative body of the municipality.

SEC. 4. At the time stated in the notices, the legislative body of the municipality shall hear and consider all objections or protests, if any, to the proposed removal of weeds, and may continue the hearing from time to time. Upon the conclusion of said hearing the legislative body, by motion or resolution shall allow or overrule any or all objections, whereupon the legislative body shall be deemed to have acquired jurisdiction to proceed and perform the work of removal, and the decision of the legislative body on the matter shall be deemed final and conclusive.

SEC. 5. After final action has been taken by the legislative body on the disposition of any protests or objections, or in case no protests or objections have been received, the legislative body of the municipality, by motion or resolution, shall order the street superintendent to abate said nuisance by having the weeds referred to removed, and he and his assistants or deputies are hereby expressly authorized to enter upon private property for that purpose. Any property owner shall have the right to have any such weeds removed at his own expense, providing the same is done prior to the arrival of the street superintendent or his representatives to do the same.

SEC. 6. The street superintendent shall keep an account of the cost of abating such nuisance in front of or on each separate lot or parcel of land where the work is done by him or his deputies, and shall render an itemized report in writing to the legislative body of the municipality showing the cost of removing such weeds on each separate lot, or in front thereof, or both: *Provided*, That before said report is submitted to said legislative body, copy of the same shall be posted for at least three days prior thereto on or near the chamber door of said legislative body, together with a notice of the time when said report shall be submitted to the legislative body for confirmation.

SEC. 7. At the time fixed for receiving and considering said report, the legislative body shall hear the same, together with any objections which may be raised by any of the property owners liable to be assessed for the work of abating said nuisance and thereupon make such modifications in the report as they deem necessary, after which by motion or resolution said report shall be confirmed. The amounts of the cost for abating such nuisance in front of or upon the various parcels of land mentioned in said report shall constitute special assessments against the respective parcels of land and as thus made and confirmed shall constitute a lien on said property for the amount of such assessments, respectively. After confirmation of said report, a copy shall be turned over to the assessor and the tax collector of such municipality, whereupon it shall be the duty of said officers to add the amounts of the respective assessments to the next regular bills for taxes levied against the said respective lots and parcels of land for municipal purposes, and thereafter said amounts shall be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and the same procedure under foreclosure and sale in case of delinquency as provided for ordinary municipal taxes.

## COLORADO.

### State Chemist—Appointment, Duties, and Salary—Assistant State Chemist. (Chap. 150, Act May 8, 1915.)

SECTION. 1. The head professor of the department of chemistry at the University of Colorado shall be State chemist of Colorado. The office and laboratory of the State chemist shall be in the department of chemistry at the University of Colorado.

SEC. 2. The salary of the State chemist shall be \$1,000 per year. The instructor in food and drug analysis in the department of chemistry in the University of Colorado shall be assistant State chemist and shall receive a salary of \$1,000 per year for the performance of such duties as shall be assigned to him by the State chemist. The State chemist and his assistant shall also be reimbursed all legitimate and necessary expenses incurred in the performance of the duties of the office of State chemist.

SEC. 3. It shall be the duty of the State chemist to make or cause to be made chemical analyses of all such samples of foods and drugs as may be collected for the purpose of analysis by the regular appointed inspectors under the supervision of the State pure food commissioner, and to make sanitary, chemical, and bacteriological analyses of samples of water from the water supply of towns or school districts upon the request of the authorities of the same, whenever such water supplies are suspected of being contaminated. The State chemist shall make full and complete written reports without unnecessary delay of such analysis; in the cases of foods and drugs, to the State pure food commissioner, and, in the case of waters, to the municipal health officers or other authorities concerned.

SEC. 4. By the authority of this act every certificate of analysis of foods, drugs, or water duly signed by the State chemist shall be presumptive evidence of the facts therein stated.

SEC. 5. For the purpose of carrying on the work of the office of State chemist there is hereby appropriated annually, out of any money in the State treasury not otherwise appropriated, the sum of \$2,500 to be apportioned as follows: Salary of State chemist, \$1,000; salary of one assistant State chemist, \$1,000; expenses, such as chemicals, supplies, express charges, and necessary traveling, \$500.

The auditor of State is hereby authorized to draw his warrants on the State treasurer in payment of the salaries and expenses of the office of State chemist as hereinbefore provided.

### Habit-Forming Drugs—Possession, Sale, and Dispensing—Commitment of Drug Addicts. (Act Apr. 9, 1915.)

SECTION 1. *Sales at retail; restricted upon written prescription.*—That it shall be unlawful for any person to sell, barter, exchange, distribute, give away, or in any manner dispose of, at retail or to a consumer, opium or coca leaves, or any compound, manufacture, salt, derivative, or preparation thereof, within this State, except upon the original written prescription of a duly licensed

physician, dentist, or veterinary surgeon, and pursuant to all the requirements of this act.

SEC. 2. *Preparations and remedies entirely exempted.*—That the provisions of this act shall not be construed to apply to the sale, barter, exchange, distribution, giving away, dispensing or the disposition in any manner, or the possession within this State of preparations and remedies which do not contain more than two grains of opium, or more than one-fourth of a grain of morphine, or more than one-eighth of a grain of heroin, or more than one grain of codeine, or any salt or derivative of any of them in one fluid ounce; or, if a solid or semisolid preparation, in one avoirdupois ounce; or to liniments, ointments, or other preparations which are prepared for external use only, except liniments, ointments, and other preparations which contain cocaine or any of its salts or alpha or beta eucaine or any of their salts or any synthetic substitute for them: *Provided*, That such remedies and preparations are sold, distributed, given away, dispensed, or possessed as medicines and not for the purpose of evading the intendment and provisions of this act. The provisions of this act shall not apply to decocainized coca leaves or preparations made therefrom, or to other preparations of coca leaves which do not contain cocaine.

SEC. 3. *Written prescription defined; duties relating thereto.*—That the original written prescription required by the provisions of section 1 of this act shall be signed in full by the duly licensed physician, dentist, or veterinary surgeon issuing it and dated as of the day on which so signed, and shall also indicate the office address, office hours, license number, and telephone number of such duly licensed physician, dentist, or veterinary surgeon, the name and address of the person to whom such written prescription is issued, and when given by a duly licensed veterinary surgeon shall indicate, in addition, the kind of animal for the treatment of which such written prescription is issued. No written prescription containing more than 4 grains of morphine, 16 grains of opium, 2 grains of heroin, 8 grains of codeine, or 2 grains of cocaine, shall be filled unless the due issuance and correctness thereof be first verified. No written prescription shall be filled without sufficient verification if for any reason the proper issuance and presentation thereof appears questionable. Such verification may be made by telephone or by some other sufficient method. Such written prescription shall be exactly filled as soon as received, or as soon thereafter as practicable, but no such written prescription shall be filled more than 10 days subsequent to the date on which it was signed. The person filling such written prescription shall write or indicate thereon the date of filling and the date when and the name and address of the person to whom he delivers the drugs so prescribed. Such written prescription shall be filled but once and shall not be copied except for the purpose of record by the duly licensed physician, dentist, or veterinary surgeon issuing it or by the person filling it, and shall be preserved on file, receiving a consecutive file number, by the person filling it, for a period of two years from the day on which such prescription is filled, in such a way as to be readily accessible to inspection by the officers, agents, employees, and officials mentioned in section 8 of this act.

SEC. 4. *Written prescription to be issued in course of professional practice only.*—That it shall be unlawful for any duly licensed physician, dentist, or veterinary surgeon to issue the written prescription required by section 1 of this act except in good faith and in the course of his professional practice for medicinal purposes only. It shall be unlawful for any duly licensed veterinary surgeon to prescribe any of the drugs mentioned in this act for the treatment of or consumption by a human being.

SEC. 5. *Dispensing by a physician, dentist, or veterinary surgeon; restricted.*—That a duly licensed physician, dentist, or veterinary surgeon may dispense, dis-



tribute, or in any manner give within this State to his patient any of the drugs mentioned in this act, provided such dispensing, distribution, or giving is made in good faith and in the course of his professional practice for medicinal purposes only: *Provided further*, That such duly licensed physician, dentist, or veterinary surgeon shall keep a record of all such drugs so dispensed, distributed, or given, showing in each instance the amount so dispensed, distributed, or given, the date when, and the name and address of the patient to whom such drugs are so dispensed, distributed, or given, except such drugs as may be dispensed, distributed, or given to a patient upon whom such duly licensed physician, dentist, or veterinary surgeon shall personally attend; and such record shall be kept for a period of two years from the date of dispensing, distributing, or giving such drugs, subject to the inspection provided for in section 8 of this act. It shall be unlawful for any duly licensed veterinary surgeon to dispense, distribute, or give any of the drugs mentioned in this act for the treatment of or consumption by a human being.

**SEC. 6. Sales at wholesale; upon official order forms only.**—That, except as provided in the preceding sections of this act, it shall be unlawful for any person to sell, barter, exchange, distribute, give away, or in any manner dispose of within this State the drugs mentioned in this act except in pursuance of a written order in the form defined in this section of the person to whom any such drug is sold, bartered, exchanged, distributed, given away, or in any manner disposed of. Every person who shall accept any such order and in pursuance thereof shall sell, barter, exchange, distribute, give away, or in any manner dispose of any of the aforesaid drugs shall preserve such order for a period of two years in such a way as to be readily accessible to inspection by the officers, agents, employees, and officials mentioned in section 8 of this act. Every person who shall give an order as in this section provided to any other person for any of the aforesaid drugs shall, at or before the time of giving such order, make or cause to be made a duplicate thereof in the form defined in this section, and in case of the acceptance of such order shall preserve such duplicate for said period of two years in such a way as to be readily accessible to inspection by the officers, agents, employees, and officials mentioned in section 8 of this act. The official order forms and the duplicate copies thereof issued by the Commissioner of Internal Revenue of the United States Treasury Department under the act of Congress approved December 17, 1914, entitled "An act to provide for the registration of with collectors of internal revenue and to impose a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivatives, or preparations, and for other purposes," shall be the official order forms and duplicate copies thereof required by this section. It shall be unlawful for any person to obtain by means of said order forms any of the aforesaid drugs for any purpose other than the use, sale, or distribution thereof by him in the conduct of a lawful business in said drugs or in the legitimate practice of his profession pursuant to the intentment of this act. The provisions of this section requiring official order forms shall not apply—

(a) To the sale, exportation, shipment, or delivery of any of the aforesaid drugs by any person within this State to any person in any foreign country, regulating their entry in accordance with such regulations for importation thereof into such foreign country as are prescribed by the said country pursuant to such regulations as are promulgated from time to time by the Secretary of State of the United States.

(b) To the sale, barter, exchange, or giving away of any of the aforesaid drugs to any officer of the United States Government or of any State, Territorial district, county, or municipal or insular government lawfully engaged in making

purchases thereof for the various departments of the Army and Navy, the Public Health Service, and for Government, State, Territorial, district, county, or municipal or insular hospitals or prisons.

**SEC. 7. *Record of receipts.***—That any person who produces, manufactures, compounds, deals in, dispenses, sells, distributes, gives away, or in any manner disposes of within this State any of the drugs mentioned in this act shall, whenever required so to do by the department of health of this State, render to said department a true and correct statement or return verified by affidavit setting forth the quantity of the aforesaid drugs received by him in this State during such period immediately preceding the demand of the said department not exceeding three months as the said department may fix and determine, the names of the persons from whom said drugs were received, the quantity in each instance received from each of such persons, and the date when received.

**SEC. 8. *Inspection of records.***—That the order forms and duplicate copies thereof, the prescriptions, and other records required to be preserved under the provisions of sections 3, 5, and 6 of this act, and the statements or returns filed with the department of health under the provisions of section 7 of this act, shall be open to inspection by the department of health through its duly authorized officers, agents, and employees, and by such officers, agents, or employees of any organized municipality within this State as shall be duly charged with the enforcement of any municipal ordinance or provision regulating the sale, prescribing, dispensing, dealing in, or distribution of the drugs mentioned in this act, and also by the officers, agents, and employees of the United States Treasury Department duly authorized to make similar inspections under the act of Congress approved December 17, 1914, hereinbefore mentioned. Any such officer, agent, or employee who shall disclose or use the information contained in said statements or returns, or in said order forms or duplicate copies thereof, or in the other records mentioned in this section, except as herein expressly provided, and except for the purpose of enforcing the provisions of this act or the act of Congress approved December 17, 1914, hereinbefore mentioned, and except for the purpose of enforcing any ordinance of any organized municipality within this State, regulating the sale, prescribing, dispensing, dealing in, or distribution of the aforesaid drugs, and except in the public interest, unless directed by a court, shall, on conviction, be fined or imprisoned as provided by section 19 of this act.

**SEC. 9. *Habitual users; treatment recorded.***—That a duly licensed physician who, in the course of his professional practice, and not for the purpose of evading the provisions of this act, prescribes for, dispenses, or in any manner gives any of the drugs mentioned in this act to a patient known to him as an habitual user of such drugs shall keep a record of all such drugs so prescribed, dispensed, or given, showing, in each instance, the amount so prescribed, dispensed, or given, the date when, and the name and address of the patient for or to whom such drugs are so prescribed, dispensed, or given, which record shall be preserved for a period of two years from the date of such prescribing, dispensing, or giving in such a manner as to be readily accessible to inspection by the department of health.

**SEC. 10. *Habitual users; commitment.***—That whenever a complaint shall be made in any police court, justice of the peace court, county or district court that any person is addicted to the use of the drugs mentioned in this act in a manner contrary to the public welfare, and such use is not prescribed, directed, or approved by a duly licensed physician acting in the course of his professional practice pursuant to the provisions of this act, and such judge or court, after a fair hearing held upon a reasonable notice, is satisfied that the complaint is sufficiently founded, he may commit such person to a State, county, or city hos-

pital or institution. Whenever it shall appear to any magistrate that such person is no longer addicted to the use of the aforesaid drugs in a manner contrary to the public welfare, or in his discretion, he may order a discharge from such commitment. The provisions of this section shall not be construed to prohibit any person committed to any institution under its provisions from appealing to any court having jurisdiction for a review of the sufficiency of the evidence upon which the commitment was made.

**SEC. 11. *Revocation of license of habitual user.***—That the board of officers of this State duly empowered to issue a license to a physician, dentist, veterinary surgeon, pharmacist, or nurse, authorizing the practice of his profession in this State, may, at any time, and after a fair hearing held upon a reasonable notice, revoke such license upon the production of sufficient evidence that the licensee is addicted to the use of the drugs mentioned in this act in a manner contrary to the public welfare. Whenever it shall appear to such board or officers that such physician, dentist, veterinary surgeon, pharmacist, or nurse is no longer addicted to the use of the aforesaid drugs in a manner contrary to the public welfare they may reissue said license.

**SEC. 12. *Revocation of license after conviction.***—That a duly licensed physician, dentist, veterinary surgeon, pharmacist, or nurse duly convicted of a substantial violation of this act shall be liable to a revocation of his license by the board or officers of this State, duly empowered to issue such license, after a fair hearing held upon a reasonable notice, provided such revocation shall be in the public interest. Such board or officers may, in their discretion, reissue such license.

**SEC. 13. *Unlawful delivery prohibited.***—That it shall be unlawful for any person to send, ship, carry, or deliver any of the aforesaid drugs within this State in a manner contrary to the provisions of this act: *Provided*, That nothing contained in this section shall be construed to apply to the delivery of the aforesaid drugs to common carriers or warehousemen, provided the requirements of this act are in all other respects complied with; or to the handling of the aforesaid drugs by any employee or agent, acting within the scope of his employment or agency, of any person dealing in such drugs pursuant to all the requirements of this act; or to the delivery of the aforesaid drugs by a duly licensed physician, dentist, or veterinary surgeon to a nurse for administration to his patient under the direction and supervision of such duly licensed physician, dentist, or veterinary surgeon in the course of his professional practice.

**SEC. 14. *Unlawful possession defined.***—That it shall be unlawful for any person to have in his possession or under his control any of the drugs mentioned in this act, if such possession or control is obtained in a manner contrary to the provisions of this act; and such possession or control shall be presumptive evidence of a violation of this act: *Provided*, That this section shall not apply to the possession or control of the aforesaid drugs by any employee or agent, acting, within the scope of his employment or agency, of any person dealing in such drugs pursuant to all the requirements of this act, and such possession or control does not operate to evade any of the provisions or the intentment of this act; or to the possession or control by a nurse, for medicinal treatment only and not on his own account, acting under the supervision and direction of a duly licensed physician, dentist, or veterinary surgeon engaged in the legitimate practice of his profession; or to the possession or control of the aforesaid drugs by any United States, State, county, municipal, or other duly authorized public officer or official who has such possession or control of the aforesaid drugs by a warehouseman or a common carrier holding such possession or control under the direction of a person who has received such drugs pursuant to the requirements of this act: *Provided further*, That it shall not be necessary

to negative any of the aforesaid exemptions in any complaint, information, or indictment, or other writ or proceeding laid or brought under this act, and the burden of proof of any such exemption shall be upon the defendant.

SEC. 15. If any person make an affidavit before any justice of the peace, or judge of any county or district court, stating that he has reason to and does believe that any person has in his possession or under his control any of the drugs mentioned in this act, within the jurisdiction of such justice or court, and describing in such affidavit the person, premises, wagon, automobile, vehicle, contrivance, thing, or device to be searched, then such justice or the judge of such court, shall issue a warrant to any officer which the complainant may designate having power to serve original process, commanding such officer to search the person, premises, wagon, automobile, vehicle, contrivance, thing, or device described in such affidavit. Such warrant shall be substantially as follows:

STATE OF COLORADO,

COUNTY OF \_\_\_\_\_ ss:

THE PEOPLE OF THE STATE OF COLORADO TO \_\_\_\_\_, Greeting:

Whereas there has been filed with the undersigned an affidavit of which the following is a copy (here copy the affidavit):

THEREFORE YOU ARE HEREBY COMMANDED, in the name of the people of the State of Colorado, forthwith, together with the necessary and proper assistance, to search

\_\_\_\_\_ (here describe the person, place, or thing mentioned in the affidavit), of the said \_\_\_\_\_, situate or being in the \_\_\_\_\_

of \_\_\_\_\_, in the county of \_\_\_\_\_ aforesaid, and there diligently search for the said drugs, and that you bring the same, or any part thereof, found in such search, together with such vessels in which such drugs are found and the implements and furniture used in connection therewith, forthwith before me, to be disposed of and dealt with according to law.

Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19\_\_

\_\_\_\_\_  
Judge of the \_\_\_\_\_ Court,

or

Justice of the Peace.

The officer charged with the execution of said warrant may, when necessary to obtain entrance, or when entrance has been refused, break open any premises, wagon, automobile, vehicle, contrivance, thing, or device which by said warrant he is directed to search; and such officer shall have the right to use such reasonable force as may be necessary to search any person whom by said warrant he is directed to search.

SEC. 16. *Duty of officer.*—If any of the drugs mentioned in this act are found on said person, or on or in any such place, said officer shall seize the same with the vessels in which they are contained and all implements and furniture used or kept for such illegal possession or control, and them safely keep, and make immediate return on such warrant. Such drugs, vessels, implements, and furniture shall be held subject to the order of the justice or the judge of the court issuing said warrant, as evidence in the prosecution of any case for the violation of any of the provisions of this act. Such drugs, vessels, implements, and furniture so seized shall not be taken from the custody of any officer seizing or holding the same, by a writ of replevin or other process, while the proceedings relating thereto are pending. Final judgment of conviction in such proceedings shall be, in all cases, a bar to any and all suits for the recovery of any drugs seized, or the value of the same, or for damages alleged to arise by reason of the seizure and detention thereof; and judgment shall be entered finding such drugs to be unlawful and directing their destruction, and the said vessels, implements, and furniture shall be likewise ordered destroyed, in

the discretion of the justice or court; and the officer so ordered shall forthwith destroy same.

If no person is in possession of the premises where such drugs are found, the officer seizing the such drugs shall post in a conspicuous place on such premises a copy of his warrant, and if at the time fixed for said hearing, or within 30 days thereafter, no person appears, said justice of the peace or court shall order such drugs destroyed.

**SEC. 17. Officers' search.**—Any sheriff, deputy sheriff, constable, health officer, or any municipal officer designated by ordinance, acting within his jurisdiction, having personal knowledge or reasonable information that any of the drugs mentioned in this act are kept in violation of law or on any person or in any place, shall search such suspected person or place without a warrant and without any affidavit being filed, and if such officer find upon the person or the premises such drugs, he shall seize the same and arrest any person or persons in charge of such place or on whom such drugs are found, and shall take such person or persons with such drugs so seized forthwith, or as soon as convenient, before a justice of the peace or judge of any court in the county in which such seizure is made having jurisdiction as herein provided to try cases for a violation of this act, and such officer shall without delay make and file a complaint for such violation of law as the evidence justifies. It shall be lawful for officers in executing the duties imposed upon them by this section to break open doors or other inclosures for the purpose of obtaining possession of any such drugs, vessels, implements, and furniture, and to use such reasonable force as may be necessary to search any such suspected person.

**SEC. 18. Rules.**—That the rules and regulations made by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury for carrying into effect the act of Congress approved December 17, 1914, hereinbefore mentioned, shall, so far as applicable, be adopted for the enforcement of this act.

**SEC. 19. Municipality may enact.**—Any municipality may enact ordinances in conformity with the provisions of this act.

**SEC. 20. Person defined.**—That the word "person" as used in this act shall be construed to mean and include a partnership, association, company, or corporation as well as a natural person.

**SEC. 21. Enforcement.**—That the State board of health shall be charged with the duty of enforcing all of the provisions of this act, and in so doing shall work in conjunction with the district attorneys, health commissioners, sheriffs, and other peace and health officers of the State and officers of the United States Revenue Department.

**SEC. 22. Jurisdiction of courts.**—Justices of the peace and county courts in their respective counties shall have jurisdiction over all violations of this act which are declared herein to be misdemeanors, and district courts in their respective districts shall have jurisdiction over all civil suits arising under this act, except as in this act provided, and over all violations of this act.

**SEC. 23. Penalties.**—Any person, agent, employee, representative, manager, proprietor, pharmacist, physician, the member or members of any association, the officer or officers of any corporation, or any other person who shall violate any of the provisions of this act, and any person, association, or corporation whose officer, agent, employee, representative, or servant shall violate any of the provisions of this act, shall for the first offense be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$100 nor more than \$300, or by imprisonment in the county jail not less than 30 days nor more than 6 months, or both such fine and imprisonment, in the discretion of the justice or court. Every second and subsequent offense committed within five years of the first by any of the persons herein designated

shall be deemed a felony, and upon conviction thereof he shall be imprisoned in the State penitentiary at hard labor not less than one year and not more than three years, and if a corporation be so convicted a second or subsequent time, it shall be fined in a sum of not less than \$1,000 nor more than \$5,000, and the license of any physician to practice medicine or the permit of any person to purchase or sell any of the drugs mentioned in this act so convicted a second or subsequent time shall be forfeited, and none shall thereafter be granted such person within a period of five years following such second or subsequent conviction. A certified copy of the entry or judgment or other proper court record, showing the former conviction of the defendant, from any justice, county or district court within this State, shall be conclusive proof of a former conviction.

**SEC. 24. Unconstitutional sections.**—If any section, subsection, sentence, clause, or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The general assembly hereby declares that it would have passed the act and each section, subsection, sentence, clause, and phrase thereof irrespective of the fact that any one or more other sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

**Habit-Forming Drugs—Sale and Dispensing. (Reg. Bd. of H., July 8, 1915.)**

Pursuant to the authority vested in the Colorado State Board of Health under sections 18 and 21 of an act entitled "An act to regulate the sale, barter, exchange, distribution, dealing in, giving away, dispensing, or the disposition in any manner of opium or coca leaves, their salts, derivatives, or preparation, to regulate the treatment and to provide for the committal of the habitual users of such drugs, and for other purposes," approved April 9, 1915, which said act will hereinafter be referred to under the title of the "Colorado narcotic-drugs act," the following rules and regulations are hereby adopted for the enforcement of said act:

**REGULATION 1. Sale and disposition of drugs at wholesale.**—Where any of the drugs mentioned in section 1 of the Colorado narcotic-drugs act are to be sold or otherwise disposed of at wholesale, the purchaser or receiver (unless specifically exempt, under section 2 of the act) will, prior to such purchase or receipt, issue an order therefor in the form as required in section 6 of said act.

Sales at wholesale relate to the sale or disposition of any of the drugs coming within the scope of the law to a druggist for use, sale, or distribution in the lawful conduct of his business or to a physician, surgeon, dentist, or veterinarian for use in the legitimate practice of his profession.

A complete observance of the requirements as set forth in articles 5, 6, 7, 8, and 9 of the Federal regulations with regard to forms used in ordering drugs at wholesale and to the preservation of such forms for the use of inspectors and other authorized officials will be deemed a sufficient compliance with the provisions of section 6 of the Colorado narcotic-drugs act.

**REG. 2. Sales at retail; upon written prescription.**—Sales of the narcotic drugs enumerated in section 1 of the act, at retail, or to the consumer, are limited to such sales as may be made pursuant to the original written prescription of a duly licensed physician, dentist, or veterinary surgeon.

All such prescriptions must be:

First. Signed in full by a duly licensed physician, dentist, or veterinary surgeon issuing the same.

Second. Dated as of the date on which so signed.

Third. Must indicate the office address, office hours, registry number, and telephone number of such duly licensed physician, dentist, or veterinary surgeon.

Fourth. Must indicate the name and address of the person to whom such written prescription is issued.

Fifth. When issued by a veterinary surgeon must indicate the kind of animal upon which such narcotic drug is to be used.

Druggists and apothecaries must refuse to fill any such prescription, unless signed as herein required; nor must a prescription for such drugs be filled by any druggist or apothecary, if he has reason to suspect that the same was fraudulently issued or obtained.

The dispensing of such drugs at retail or to the consumer by druggists or apothecaries, except upon the original written prescription of physicians, dentists, or veterinary surgeons, will be in violation of the act. Refilling of prescriptions is therefore prohibited.

No written prescription calling for more than 4 grains of morphine, 16 grains of opium, 2 grains of heroin, 8 grains of codeine, or 2 grains of cocaine shall be filled without verification by the physician, dentist, or veterinary surgeon issuing the same. Such verification may be by telephone or other sufficient method.

Prescriptions must be exactly filled as soon after receipt as practicable, not later in any case than 10 days subsequent to the issuance thereof. And the druggist shall record upon the prescription the date when filled and the name of person to whom delivered.

Prescriptions must be preserved for a period of two years from the time when filled and must be readily accessible to authorized inspectors or officials. A separate file of all such prescriptions should therefore be kept by the druggist or apothecary filling the same, but such prescriptions may be numbered consecutively with other prescriptions received. Unless so filed a record must be kept showing:

First. The file number given to each prescription filled.

Second. The name of the physician, dentist, or veterinary surgeon signing the same.

Third. The name of the person for whom such prescription is filled.

It will not be necessary to keep two sets of records or files of prescriptions, one for the Federal authorities and one to meet the requirements of the State narcotic-drugs act. The records now kept in compliance with the regulations for the enforcement of the Harrison (Federal) Act will be regarded as a complete observance of the State act and of these regulations, in this particular.

In writing prescriptions for narcotic drugs, coming within the scope of the law, physicians are cautioned to include all information required by both the Federal and the State acts. While these requirements are not essential in carrying out the purposes of the law, they are necessary to the protection of both physicians and druggists from imposition by means of fraudulent prescriptions and orders.

Prescriptions for narcotic drugs mentioned in section 1 of the act may be issued only in good faith for medicinal purposes in the course of professional practice.

**REG. 3. Dispensing of drugs by physicians, dentists, or veterinary surgeons.**—Section 5 of the Colorado narcotic drugs act authorizes duly licensed physicians, dentists, or veterinary surgeons to dispense, distribute, or in any manner give, within the State, any of the drugs mentioned in section 1 of the act to his patients, providing such dispensing is done in good faith for medicinal purposes and in the course of his professional practice. A record, however, is required to be kept of all such drugs so dispensed or distributed (except such as may be dispensed or distributed to a patient upon whom such physician, dentist, or veterinary surgeon may personally attend, i. e., personally visit) and must show:

First. The date when any such drug is dispensed or distributed.

Second. The kind and quantity dispensed or distributed in each case.

Third. The name and residence of the patient to whom such drug was dispensed or distributed.

The record so kept must be preserved for a period of two years from the date of dispensing or distributing and held subject to inspection by officers of the State board of health.

A veterinary surgeon is not permitted to dispense drugs nor to prescribe drugs for consumption by a human being.

No exemptions apply in the case of drugs dispensed to an habitual user. A record must be kept in all such cases in the manner heretofore described.

With the exception of the records required by the State law to be kept in the case of drugs dispensed to habitual users, the records now kept by physicians, dentists, and veterinary surgeons in compliance with the Federal act will be regarded as a sufficient compliance with the requirements of the State narcotic drugs act and of these regulations.

**REG. 4. *Sworn statement of receipts.***—Under the authority of section 7 of the act, the State board of health will require sworn statements of receipts in all cases where there is reason to suspect that any of the drugs coming within the scope of the act are being procured, compounded, or disposed of illegally, and in all such other cases as it may deem advisable.

Inspectors are instructed to promptly report any suspicious circumstances attending the sale, dispensing, or other use of the drugs enumerated in the act.

Statements of receipts will be made in the form and manner as set forth in article 15 of the Federal regulations.

**REG. 5. *Revocation of licenses after conviction.***—The State board of health will report to the appropriate State board or other licensing officers of the State all cases wherein any duly licensed physician, dentist, veterinary surgeon, pharmacist, or nurse has been convicted of a substantial violation of this act, for action as provided in section 12 of the act.

**REG. 6. *Inventories.***—It will not be necessary for any person, firm, or corporation engaged in the business of dispensing drugs to the consumer or in the practice of any of the professions in the act enumerated to prepare any inventory of the drugs or preparations or remedies coming within the scope of the law on hand at the time the Colorado narcotic drugs act becomes effective, other than the inventory as required by article 13 of the Federal rules and regulations. The inventory therein described will be kept open to inspection at all reasonable times by authorized inspectors or officers of the State board of health.

**REG. 7. *Duties of officers.***—It will be the duty of the pure food and drug commissioner to perform each and every act necessary to carrying out the purposes of the Colorado narcotic drugs act and of these regulations, to keep all records therein required and to provide for adequate inspection of all places of business coming within the purview of the law, and to see that all of the requirements of the law and of these regulations are strictly observed.

The drug inspectors will make inspections at irregular intervals of the premises of all persons, firms, or corporations engaged in the business of dispensing in any manner any of the narcotic drugs enumerated in section 1 of the act. They will, under the authority of the State board of health, inspect and, if necessary, verify all records, orders, prescriptions, statements, or returns made or received and at once report any violation of the law by them discovered.

Samples of suspected drugs which are held in violation of the law will be collected and forwarded to the laboratory of the State chemist for analysis.

It is hereby declared to be the purpose of this board to enforce the provisions of this act in the letter and the spirit of the law without unnecessary interference with the business of persons engaged in selling or otherwise dispensing



the drugs coming within the scope of the act. This purpose must be kept clearly in mind by all employees or officers of this board.

Inspectors will work in conjunction with health officers of the different municipalities and counties of the State, with district attorneys, and other peace officers in the various districts of the State and with the officers of the United States internal revenue department in carrying out the provisions of the Colorado narcotic drugs act.

The food and drug commissioner will report each month in the regular monthly report, and at such other times as may be required by this board, all things done by the food and drug department in connection with the enforcement of this act.

The right of search and seizure as contemplated in section 17 of the act shall be exercised with the greatest discretion. Except in cases of gravest emergency, inspectors employed by this board, in putting the search and seizure provision into effect, are instructed to proceed only upon search warrant issued by a court of competent jurisdiction, and in no case without the direct authorization of the food and drug commissioner.

**REG. 8. Rules of the Federal department adopted.**—Each and every ruling heretofore made by the Commissioner of Internal Revenue and approved by the Secretary of the Treasury, under the authority of an act of Congress approved December 17, 1914, and known as the Harrison narcotic law, is hereby adopted and made a part of these regulations in so far as it is applicable by reasonable construction to the State narcotic drugs law. Each and every ruling which may hereafter be promulgated by these officials, in so far as applicable, is declared to be the ruling of the Colorado State Board of Health and in full force and effect as of the date of its adoption.

**Mattresses—Manufacture and Sale. (Chap. 128, Act Apr. 9, 1915.)**

SECTION 1. No person shall manufacture, sell, offer or expose for sale, in the regular course of trade, deliver or have in his possession with intent to sell or deliver in this State, in the regular course of trade, any mattress, pillow, cushion, muff bed, down quilt or bag containing hair, cotton, down, wool, shoddy wool, cotton linters, feathers, or other material unless the same be branded or labeled so as to show kind and character of the materials used in the manufacture of the article to which the brand or label is attached. If the materials used in the manufacture of the article to which the label or brand is to be attached are entirely new, the brand or label shall consist of a plain print, in the English language, in large type, as follows: "The materials used in the manufacture of this mattress (or other article of bedding) are entirely new."

If the materials are secondhanded, the brand or label shall consist of a plain print, in the English language, in large type, as follows, to wit: "The materials used in the manufacture of this mattress (or other article of bedding) are secondhanded," with a specific statement of the kind and character of the secondhand materials used. Such brand or label shall be in the form of cloth tag, and shall be sewed to or otherwise securely attached to said article, and shall be in size not less than three inches long by two and one-half inches in width. It shall be unlawful for any person to remove, conceal, or deface any such brand or label for the purpose of deceiving a contemplated purchaser or other person. No person shall use, either in whole or in part, in the manufacture of any mattress or other article of bedding, any material which has been used in or has formed a part of any mattress or other article of bedding which has been used in or about a public or private hospital, or by or about any person having an infectious or contagious disease. It shall be unlawful for any person to sell, offer for sale, or have in his possession with intent to sell any mattress or other article of

bedding which has been used in or about a public or private hospital or by or about any person having an infectious or contagious disease.

**SEC. 2.** A mattress within the meaning of this act shall be construed to include any quilted pad, stuffed with hair, cotton, shoddy wool, cotton lintens, wool, feathers or other soft material to be used on a bed for sleeping or reclining purposes.

**SEC. 3.** The term "secondhanded" as used in section 1 of this act shall be held to include any material which has been used before in any of the articles above enumerated or in any article of household or wearing apparel, however afterwards treated.

**SEC. 4.** That the word "person" as used in this act shall be construed to mean and include a partnership, association, company, or corporation, as well as a natural person.

**SEC. 5.** A violation of any of the provisions of this act is hereby declared to be a misdemeanor. Any person who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished, for the first offense, by a fine of not less than \$25 nor more than \$200 or by imprisonment in the county jail not exceeding three months, or by both such fine and imprisonment. And for a second offense by a fine of not less than \$200 nor more than \$500 or by imprisonment in the county jail not less than three months nor more than six months, or by both such fine and imprisonment.

**Advertisements—Untrue, Deceptive, or Misleading, Prohibited. (Chap. 67, Act Apr. 9, 1915.)**

**SECTION 1.** Any person, firm, corporation, or association who, with intent to sell or in any wise dispose of merchandise, securities, service, or anything offered by such person, firm, corporation, or association, directly or indirectly, to the public for sale or distribution, or with intent to increase the consumption thereof, or to induce the public in any manner to enter into any obligation relating thereto, or to acquire title thereto, or an interest therein, makes, publishes, disseminates, circulates, or places before the public, or causes, directly or indirectly, to be made, published, disseminated, circulated, or placed before the public, in this State, in a newspaper or other publication, or in the form of a book, notice, handbill, poster, bill, circular, pamphlet, or letter, or in any other way, an advertisement of any sort regarding merchandise, securities, service, or anything so offered to the public, which advertisement contains any assertion, representation, or statement which is untrue, deceptive, or misleading, shall be guilty of a misdemeanor.

**SEC. 2.** On conviction of each and every offense, as herein above set forth, the violator shall be punished by a fine of not less than \$10 nor more than \$300, or by imprisonment in the county jail for a term not exceeding 30 days, or by both such fine and imprisonment.

**SEC. 3.** Nothing in this act shall be construed to apply to any proprietor or publisher of any newspaper or periodical who publishes or circulates any such advertisement without knowledge of the untruthful nature of such advertisement.

**SEC. 4.** Justices of the peace in their respective counties shall have jurisdiction over all causes arising out of the violation of this act.

## CONNECTICUT.

### **Communicable Diseases—Notification of Cases by Physicians. (Chap. 92, Act Mar. 31, 1915.)**

Section 2534 of the general statutes is hereby amended to read as follows:

Every physician shall report in writing every case of cholera, yellow fever, typhus fever, leprosy, smallpox, diphtheria, membranous croup, typhoid fever, scarlet fever, diseases of a venereal nature, or other contagious or infectious diseases occurring in his practice, to the health officer of the town, city, or borough in which such case occurs, within 12 hours after his recognition of the disease: *Provided*, In reporting any disease of a venereal nature the name of the patient suffering from the same shall not be disclosed. Every person who shall violate any provision of this section shall be fined not more than \$25.

### **Antitoxin and Vaccine—Free Distribution of. (Chap. 139, Act Apr. 14, 1915.)**

Chapter 161 of the public acts of 1911 is hereby amended to read as follows:

The State board of health is hereby authorized to procure diphtheria antitoxin, tetanus antitoxin, and vaccine lymph for the free use of people of the State upon whom the purchase thereof would impose a financial hardship, and to distribute the same to town, city, and borough health officers, who shall furnish the same to such persons upon recommendation of attending physicians.

### **Mosquito Breeding Places—Elimination of. (Chap. 264, Act May 18, 1915.)**

SECTION 1. The director of the Connecticut Agricultural Experiment Station may make rules and orders concerning the elimination of mosquitoes and mosquito breeding places or areas, and he or his agents or employees may enter upon any swamp, marsh, or land to ascertain if mosquitoes breed thereon, or to survey, drain, fill, or otherwise eliminate any such mosquito breeding place.

SEC. 2. Whenever sufficient funds have been raised for the purpose by the State or by any city, borough, or town in which such swamp, marsh, or land is located, or by voluntary contributions, said director shall drain, fill, or otherwise treat such place or area, or cause any such place or area to be drained, filled, or mosquito breeding therein otherwise eliminated, and shall cause notice of any such order to be given to the owners of any such place or area by publishing a copy of such order containing a description of the place or area proposed to be drained, filled, or mosquito breeding therein otherwise eliminated, with the proposed plan of elimination, at least three times in a newspaper having a circulation in the locality where such place or area is situated, such publication to begin not less than 10 days before beginning such elimination. Any person claiming to be aggrieved because of any such proposed draining or filling may, within 10 days after publication of such notice, apply to the superior court or any judge thereof in the county in which such land is located, for relief from such order, and shall cause a copy of such application to be served upon said director not less than 6 days before hearing thereon, and said court or such judge may make any proper order concerning the proposed plan of elimination of mosquito breeding.

SEC. 3. Any city, borough, or town wherein any such place or area has been drained to the approval of said director shall keep in repair and free from obstruction any ditch, canal, or drain connected with such place or area, and, upon order of said director,

shall construct and maintain suitable tide gates, and may appropriate funds for such purposes and for use under the provisions of this act.

SEC. 4. Any person obstructing the work of examining, surveying, or ditching, or otherwise treating, such mosquito breeding areas or obstructing any ditch, canal, or drain, or the natural outlet of any marsh forming mosquito breeding areas, shall be fined not more than \$100, or imprisoned not more than 90 days, or both.

**Schools—Medical Examination of Pupils—Appointment and Duties of School Physicians. (Chap. 275, Act May 18, 1915.)**

Section 1 of chapter 207 of the public acts of 1907 is hereby amended to read as follows:

The board of education, board of school visitors, or district school committee of each city, town, or district of more than 10,000 inhabitants shall, and those of less than 10,000 may, appoint one or more school physicians and shall assign such physician or physicians to the public school or schools within the limits of such city, town, or district, and shall provide such physicians with proper facilities for the performance of their duties as prescribed in this act: *Provided*, In cities or towns in which the board of health is maintaining medical inspection substantially as provided for in this act, the board of health shall appoint and assign such physicians, and any city, town, or district may transfer to the board of health or the local health officer the duties prescribed in this act: *Provided*, No physical examination shall be made of any female child in attendance at any public school unless such examination shall be made by a woman physician; or unless after notice to the parent or guardian of such child and a reasonable opportunity to be present at such examination having been given, such examination shall be made in the presence of such parent or guardian or of a female nurse employed in such school.

**Ordinances Relating to the Public Health—Towns Authorized to Adopt. (Chap. 246, Act May 12, 1915.)**

SECTION 1. Any town may adopt ordinances or by-laws for the promotion of the public health, and to prevent contamination of any public or private water supply; to improve the sanitary condition of dwellings, outbuildings, and premises connected therewith; to prevent fires; to regulate the disposal of sewage, and the collection of garbage, and may fix a penalty not exceeding \$25 for the violation of any such by-law.

SEC. 2. Section 1908 of the general statutes is hereby repealed.

**Milk and Cream—Sale of Pasteurized—Labeling Required. (Chap. 151, Act Apr. 20, 1915.)**

Section 6 of chapter 221 of the public acts of 1911 is hereby amended to read as follows:

No person shall sell or exchange, or offer or expose for sale or exchange, or have in his possession with intent to sell or exchange, any milk or cream which has been subjected to the action of heat, commonly known as "pasteurization" unless the receptacle in which the same is contained is plainly labeled "pasteurized," with the day of the week of pasteurization. If such milk or cream has been pasteurized more than one week, there shall be printed on the label in letters at least one-eighth of an inch high the following: "Pasteurized more than one week."

**Milk—Prohibition of the Sale of. (Chap. 281, Act May 19, 1915.)**

SECTION 1. Every official authorized to prohibit the sale of milk shall state in each order issued for such purpose whether the same is issued to prevent the sale of milk which is unfit for consumption as food. Any official issuing such order shall ascertain the average daily quantity of milk produced by the cows or goats of each person

affected by such order of prohibition, and the municipality wherein such sale is prohibited shall pay damages for the value of the milk which such person has been unable to sell because of such order during the period of prohibition, upon proof that at the time such order was issued such milk was fit for such consumption, and the premises where such milk was produced were free from contagious disease.

SEC. 2. Any person aggrieved by such order, in the event of failure to agree with the municipality as to the value of the milk produced during such period, may collect the value thereof from such municipality.

**Milk and Cream—Appeal from Order Prohibiting the Sale of.** (Chap. 15, Act Mar. 10, 1915.)

SECTION 1. Any person claiming to be aggrieved by any order issued by any official authorized to prohibit the sale of milk or cream in any town, city, or borough may take an appeal from such order to the dairy and food commissioner. Such appeal shall be taken by filing in the office of said commissioner a copy of the order prohibiting such sale, with a brief informal statement of such grievance, and upon payment to said commissioner of a fee of \$5. The commissioner shall account to the treasurer quarterly for the fees collected under the provisions of this act.

SEC. 2. The dairy and food commissioner, or his deputy, within one week after the receipt of an appeal taken pursuant to the provisions of section 1, shall ascertain the methods employed by the person taking such appeal in producing, handling, or distributing milk or cream, and he shall inspect all implements and equipment used in the production or handling of the same, with the cows from which and barns and premises where such milk or cream is produced or procured, and shall make a finding of fact and determine whether the selling or distributing of milk or cream as conducted by such person is detrimental to the public health. Such commissioner, or his deputy, after such inspection, shall forthwith affirm, modify, or rescind any order prohibiting the sale of milk or cream by such person, provided the original order shall remain in force pending such appeal.

SEC. 3. Any person who shall violate the provisions of any order of any official authorized to prohibit the sale of milk or cream shall be fined not more than \$50, or imprisoned not more than 30 days, or both.

**Foods and Drugs—Misbranding of.** (Chap. 204, Act May 7, 1915.)

Section 4 of chapter 255 of the public acts of 1907 as amended by chapter 178 of the public acts of 1909 is hereby amended to read as follows:

The term "misbranded" as used in this act shall apply to all drugs or articles of food, or articles which enter into the composition of food, the package or label of which shall bear any statement, design, or device regarding such article, or the ingredients or substances contained therein, which shall be false or misleading in any particular, and to any food or drug product which is falsely branded as to the State, Territory, or country in which it is manufactured or produced. For the purposes of this act an article shall be deemed to be misbranded: In the case of drugs: First, if it be an imitation of or offered for sale under the name of another article; second, if the contents of the package as originally put up shall have been removed, in whole or in part, and other contents shall have been placed in such package, or except when dispensed by a registered physician or veterinary, or by a licensed pharmacist in filling the prescription of a registered physician or veterinary, or in case of drugs for external use only, or, except when a drug is sold under or by a name recognized in the United States Pharmacopœia, the package fails to bear a statement on the label of the quantity or proportion of alcohol, morphine, opium, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, or acetanilid, or any derivative or preparation of any of said substances contained therein; third, if the package or label shall bear or

contain any statement, design, or device regarding the curative or therapeutic effect of such article or any of the ingredients or substances contained therein, which is false.

In the case of foods: First, if it be an imitation of or offered for sale under the distinctive name of another article; second, if it be labeled or branded so as to deceive or mislead the purchaser, or purport to be a foreign product when not in fact a foreign product, or if the contents of the package as originally put up shall have been removed in whole or in part and other contents shall have been placed in such package, or if it fails to bear a statement on the label of the quantity or proportion of morphine, opium, cocaine, alpha or beta eucaine, heroin, chloroform, cannabis indica, chloral hydrate, or acetanilid, or any derivative or preparation of any of said substances contained therein; third, if, when in package form and the contents are stated in terms of weight and measure, the weight or measure is not plainly and correctly stated on the outside of the package; fourth, if the package containing it, or the label of such package, shall bear any statement, design, or device regarding the ingredients or the substances contained therein, which statement, design, or device shall be false or misleading in any particular: *Provided*, That an article of food which does not contain any added poisonous or deleterious ingredients shall not be deemed to be adulterated or misbranded in the following cases: First, in the case of any mixture or compound which may be known as an article of food under its distinctive name, and not an imitation of or offered for sale under the distinctive name of another article, if the name be accompanied, on the same label or brand, with a statement of the place where such article has been manufactured or produced; second, in the case of an article labeled, branded, or tagged so as to plainly indicate that it is a compound, imitation, or blend, and the word "compound," "imitation," or "blend," as the case may be, is plainly stated on the package in which it is offered for sale: *Provided*, That the term "blend" as used herein shall be construed to mean a mixture of like substances, not excluding harmless coloring or flavoring ingredients used for the purpose of coloring and flavoring only: *And provided*, That nothing in this act shall be construed to require proprietors or manufacturers of proprietary foods which contain no unwholesome added ingredients to disclose their trade formulæ except so far as the provisions of this act may require to secure freedom from adulteration or misbranding.

#### **Foods and Drugs—Securing of Samples. (Chap. 165, Act Apr. 28, 1915.)**

SECTION 1. Section 6 of chapter 255 of the public acts of 1907 is hereby amended to read as follows:

Under said rules and regulations representative samples shall be collected by the dairy commissioner or his deputies and the Connecticut agricultural experiment station or its agents. The dairy commissioner or his deputies and the agents of said agricultural experiment station shall have access at all reasonable hours to any place where it is suspected that there is kept for sale, use, compounding, dispensing, distribution, or export any article of food or drugs adulterated or misbranded within the meaning of this act, and said dairy commissioner or his deputies and the agents of said agricultural experiment station, upon tendering the market price thereof, may take from any person, firm, or corporation samples of such articles. Samples may be purchased in the open market, and, if in bulk, the marks, brands, or tags upon the package, carton, wrapper, or other container and the accompanying printed or written matter shall be noted, and the person collecting such samples shall also note the names of the vendor and the agent through whom the sale was made, with the date of the purchase. Samples shall be divided into three equal parts, and each part shall be labeled with identifying marks; one of such parts shall be delivered to the person from whom the purchase was made, or if a guaranty has been given as hereinafter provided such part shall be delivered to the guarantor; one of such parts shall be sent to the Connecticut agricultural experiment sta-

tion; and one part shall be held, under seal, by the dairy commissioner. The parts of the samples so divided shall be sealed by the person collecting the same with a seal provided for such purpose.

**Drinking Water—Bottling and Sale of—License Required. (Chap. 184, Act Apr. 29, 1915.)**

SECTION 1. Section 1 of chapter 126 of the public acts of 1913 is hereby amended to read as follows:

Any person engaged in the business of bottling and selling drinking water shall apply to the State board of health for a license, stating the location of the spring or other source from which water is to be taken and sold and the location of the premises where such business is to be conducted. Said board shall cause an examination of the water to be made, and if it finds the same to be free from contamination and the premises, where bottling is to be done, in a sanitary condition, with the proper facilities for cleansing and sterilizing all bottles to be filled, it may grant a license for one year to the person making such application, upon payment of a license fee of \$10. Such license may be renewed annually upon payment of a fee of \$5. Said board may revoke such license at any time when, upon examination, water sold by such licensee is shown to be polluted, or the premises where such water is bottled, to be in an insanitary condition.

**Water and Ice Supplies—Prevention of Contamination of. (Chap. 306, Act May 20, 1915.)**

SECTION 1. The State board of health shall have supervision over all matters concerning the purity of any source of water or ice supply used by any municipality, public institution, or water or ice company for obtaining water or ice. The term "source of water or ice supply" shall include all springs, streams, water courses, brooks, rivers, lakes, ponds, wells, or underground waters from which water or ice is taken, and all springs, streams, water courses, brooks, rivers, lakes, ponds, wells, or underground waters tributary thereto and all lands drained by such springs, streams, water courses, brooks, rivers, lakes, ponds, wells, or underground waters.

SEC. 2. Every person, firm, or corporation supplying water to the public at the time of the passage of this act shall, on request, furnish the State board of health with all reasonable information regarding its water works and the source from which its supply of water is derived. No system of water supply owned or used by such municipal or private corporation or individual shall hereafter be constructed until the plans therefor have been submitted to and approved by said board.

SEC. 3. The State board of health may, and, upon complaint, shall, investigate any source of water or ice supply from which water or ice used by the public is obtained, and if it finds that such source of water or ice supply is contaminated or rendered impure, it shall notify any person or corporation causing such contamination, of its findings, and after hearing, shall make such orders as may be necessary to prevent the contamination thereof.

SEC. 4. The State board of health may employ agents, engineers, and assistants to carry out the provisions of this act at an expense not exceeding such sums as may be approved by the State board of control.

SEC. 5. Any person or corporation aggrieved by any order of the State board of health, made under the provisions of this act, may appeal within 30 days to the superior court for the county in which the source of the water or ice supply is located. If such source is located in more than one county the appeal shall be taken to the superior court for that county containing the part of such source nearest the mouth of the stream or river forming the main portion of the source of supply. Such appeal shall be by a petition in writing. An attested copy of such petition shall be served on the

State board of health at least 12 days before the return day of such petition, and the appellant shall give notice to all parties in interest by publication in a newspaper or as may be ordered by the court to which such appeal may be brought or by any judge of such court when such court is not in session. Such court may hear such appeal, by itself or a committee, and shall proceed thereon in the same manner as upon complaints for equitable relief, and may make such order, including taxation of costs, as it may find proper.

SEC. 6. Any order of the State board of health issued under the provisions of this act to any person or corporation shall specify the time within which such person or corporation shall comply with the terms thereof. If such person or corporation shall fail to comply with the terms of such order and no appeal shall be taken therefrom, the county health officer of such county shall bring a complaint against such person or corporation to the superior court of such county.

SEC. 7. Any person or corporation violating any provision of this act, or any order of the State board of health made under the provisions hereof, shall be fined not more than \$100.

**Habit-Forming Drugs—Sale and Dispensing of. (Chap. 313, Act May 20, 1915.)**

SECTION 1. No person, firm, or corporation shall sell, furnish, give away, or deliver cocoa leaves, or any cocaine, or any alpha or betaeucaine, or any synthetic substitute for them, or any salt, compound, or derivative thereof, except decocanized cocoa leaves and preparations thereof, or any opium, morphine, heroin, codeine, or any preparation thereof, or any salt, compound, or derivative of the same, except upon the written order of a manufacturer of or jobber in drugs, wholesale druggist, registered pharmacist actively engaged in business as such, physician, dentist, veterinarian registered under the laws of the State in which he resides, or an incorporated hospital, college, or scientific institution, through its superintendent or official in immediate charge, or upon the written prescription of a physician, dentist, or veterinarian registered under the laws of the State in which he resides, bearing the date when signed, his office address, the registry number given him under the provisions of public act 223 of the Sixty-third Congress, approved December 17, 1914, the signature of the physician, dentist, or veterinarian giving it, the name and address of the patient for whom prescribed, which prescription when filled shall show the date of filling and shall be retained on file by the druggist filling it for a period of at least two years.

Such prescription shall not be filled a second time, nor shall a copy of the same be made, except for the purpose of record by the druggist filling the same, and shall be open to inspection by the officers of the State board of health, the commissioners of pharmacy, the county health officers in their respective counties, the authorized agents of such officials, and the police authorities and police officers in their respective jurisdictions: *Provided*, The provisions of this act shall not apply to any prescription, nor to the sale, distribution, giving away, dispensing, or possession of any preparation or remedy when such prescription does not prescribe an article, or such preparation or remedy does not contain more than two grains of opium or more than one-quarter of a grain of morphine or more than one-eighth of a grain of heroin, or more than one grain of codeine, or any salt, compound, or derivative of any such preparation or remedy in one fluid ounce, or, if a solid or semisolid preparation, in the avoirdupois ounce; nor to any liniment, ointment, or other preparation which is prepared for external use only, except a liniment, ointment, or other preparation which contains cocaine, or any of its salts, or alpha or beta eucaine, or any of their salts or derivatives, or any synthetic substitute for them: *Provided*, Any such preparation or remedy is sold, distributed, given away, or dispensed, or in possession in good faith as medicine or any such prescription is delivered or held in good faith and not for the purpose of evading the provisions of this act: *Provided*, The possession of any prescription or drug mentioned in this act, except a prescription, preparation, or remedy exempted



in this section, by anyone other than a manufacturer of or jobber in drugs, wholesale druggist, registered pharmacist actively engaged in business as such, physician, dentist, or veterinarian, registered under the laws of the State in which he resides, or superintendent or official in charge of an incorporated hospital, college, or scientific institution, shall be presumptive evidence that such possession is in violation of the provisions of this act. The provisions of this section shall not apply to any person having in possession any such drug who secured the same upon a legal prescription therefor, nor shall the provisions of this act apply to decocainized coca leaves or any preparation made therefrom, or to any other preparation of coca leaves which do not contain cocaine.

SEC. 2. No practitioner of veterinary medicine or surgery shall prescribe any drug mentioned in section 1 of this act for the use of any human being, and no physician or dentist shall prescribe, sell, give away, or deliver any coca leaves, or any cocaine, or any alpha or beta eucaine, or any compound, derivative, or synthetic substitute for any such article, or opium, morphine, heroin, codeine, or any preparation thereof or any salt, compound, or derivative of any such substance to any person known to such physician or dentist to be an habitual user of any such drug, except when such drug is obviously needed for therapeutic purposes.

SEC. 3. The provisions of this act shall not be construed to prevent any authorized practitioner of medicine, dentistry, or veterinary medicine, from prescribing, administering, dispensing, or distributing any drug mentioned in this act that may be indicated for any patient under his care: *Provided*, Such prescribing, administering, dispensing, or distributing is not for the purpose of evading any provision of this act: *And provided*, Every physician, dentist, or veterinarian shall make a record in a book kept by him for such purpose, of the date, the name and address of the patient to whom administered, dispensed, or distributed, and the quantity and kind of drug administered, dispensed, or distributed, except such quantities as are exempted by the provisions of section 1: *Provided*, Such record shall not be required where the physician, dentist, or veterinarian administers, dispenses, or distributes any drug mentioned in this act to a patient whom he personally attends. Each page of such book shall be ruled and kept in substantially the following form:

Name of physician or dentist (sign in full on each page).

Date.	Name of person to whom dispensed.	Address.	Drugs dispensed.	Amount dispensed.

*Provided*, Any form of record approved or required by the commissioner of internal revenue under the provisions of public act 223 of the Sixty-third Congress, approved December 17, 1914, shall be a sufficient record to comply with the requirements of this act. Such record shall be open to inspection by the State board of health, the county health officers in their respective counties, the authorized agents of such officials, and the police authorities and police officers in their respective jurisdictions.

SEC. 4. Any manufacturer of or jobber in drugs, wholesale druggist, registered pharmacist actively engaged in business as such, physician, dentist, or veterinarian registered under the laws of the State in which he resides, may sell coca leaves, cocaine, or any alpha or beta eucaine, or any synthetic substitute for any such article, or any preparation containing the same, or any salt, compound, or derivative thereof, or any opium, morphine, codeine, heroin, or any preparation thereof, or any salt, compound, or derivative of any such substance to any manufacturer of or jobber in drugs, wholesale druggist, registered pharmacist actively engaged in business as such, physician, dentist, or veterinarian registered under the laws, of the State in which

he resides, or to any incorporated hospital, college, or scientific institution, but any such substance or preparation, except such preparations as are included within the exemptions set forth in section 1, shall be sold only upon a written order of an incorporated hospital, college, or scientific institution, signed by its superintendent or official in immediate charge, or upon a written order signed by such manufacturer of or jobber in drugs, wholesale druggist, registered pharmacist actively engaged in business as such, physician, dentist, or veterinarian registered under the laws of the State in which he resides, which order shall state the article or articles ordered, the quantity ordered, and the date. Such orders shall be kept on file in the laboratory, warehouse, pharmacy, or store in which the same are filled by the proprietor thereof or his successors for a period of not less than two years after the date of delivery, and shall be open to inspection by the State board of health, the commissioners of pharmacy, the county health officers in their respective counties, the authorized agents of such officials, and the police authorities and police officers in their respective jurisdictions.

SEC. 5. Any manufacturer of or jobber in drugs, wholesale druggist, registered pharmacist actively engaged in business as such, physician, dentist, or veterinarian registered under the laws of the State in which he resides, and any incorporated hospital, college, or scientific institution through its superintendent or official in immediate charge that shall give an order for any such drug in accordance herewith shall preserve a duplicate thereof for a period of two years after the date of giving the same, which shall be open to inspection by the State board of health, the commissioners of pharmacy, the county health officers in their respective counties, the authorized agents of such officials, and the police authorities and police officers in their respective jurisdictions. Any order required by the regulations of the commissioner of internal revenue under the provisions of public act 223 of the Sixty-third Congress, approved December 17, 1914, shall be a sufficient order to comply with the provisions of this and the preceding section.

SEC. 6. No person shall, for the purpose of evading or assisting in the evasion of any provision of this act, falsely represent that he is a physician, dentist, or veterinarian, or that he is a manufacturer of or jobber in drugs, wholesale druggist, or pharmacist actively engaged in business as such, or that he is superintendent or an official in immediate charge of an incorporated hospital, college, or scientific institution, or a person registered under the provisions of public act 223 of the Sixty-third Congress, approved December 17, 1914, or, not being an authorized physician, dentist, or veterinarian, make or alter a prescription for any of said drugs.

SEC. 7. The possession of a Federal certificate issued under the provisions of public act 223 of the Sixty-third Congress, approved December 17, 1914, by any person shall be prima facie evidence of an intent to sell, furnish, give away, or deliver any of said drugs.

SEC. 8. No provision in this act shall apply to common carriers transporting any such drug or to any employee thereof acting within the scope of his employment, nor to any person who shall deliver any such drug which has been prescribed or dispensed by a physician, dentist, or veterinarian registered under the laws of the State in which he resides who has been employed to prescribe for the patient receiving such drug, nor to a nurse under the supervision of a physician, dentist, or veterinarian having possession or access to any such drug in the course of his employment or occupation and not on his own account, or to the possession of any such drug which has been prescribed in good faith by a physician, dentist, or veterinarian, nor to any United States, State, county, municipal, or district official who has possession of any such drug by reason of his official duties or who, as an officer or agent of any incorporated society for the suppression of vice, has the same in his possession for the purpose of assisting in the prosecution of violations of the provisions of this act.

SEC. 9. The repeal of any law by this act shall not affect any action, suit, or prosecution pending at the time of the repeal for an offense committed, or for the recovery

of a penalty or forfeiture incurred under the provisions of any act repealed. No person shall use or utter any paper purporting to be an original prescription or order of a physician, dentist, or veterinarian, or use a copy of any prescription, for the purpose of obtaining any of said drugs.

SEC. 10. Any person violating any provision of this act shall be fined not more than \$1,000, or imprisoned not more than one year, or both.

SEC. 11. The commissioners of pharmacy, in making payment to the treasurer of the State, as provided in section 15 of chapter 216 of the public acts of 1909, are authorized to retain a sum not exceeding \$500 as a reserve fund for the purpose of defraying expenses.

SEC. 12. Chapter 191 of the public acts of 1913 is hereby repealed.

#### **Burial—Regulation of. (Chap. 158, Act Apr. 21, 1915.)**

Section 1 of chapter 169 of the public acts of 1911 is hereby amended to read as follows:

No person shall bury the body of any deceased person within a distance of 350 feet from any dwelling house, unless a public highway intervenes between such place of burial and such dwelling house, except in a cemetery heretofore established, or in a plot of land adjacent to such cemetery which has been annexed thereto and made a part thereof, with the approval in writing of the secretary of the State board of health. Such approval shall contain a detailed description of the land so annexed and shall be recorded in the land records of the town in which such cemetery is situated.

#### **Deaths—Preparation and Transportation of Dead Bodies—State Board of Health to Make Regulations Concerning. (Chap. 213, Act May 7, 1915.)**

SECTION 1. The State board of health is hereby authorized to make such regulations concerning the preparation and transportation of the bodies of deceased persons to be removed from or into the limits of any town, or into any adjoining State as the public health and welfare may require. Such regulations shall be signed by the secretary of the State board of health, and a copy thereof shall be mailed to each town clerk, licensed embalmer, and undertaker at least 15 days before the same shall take effect.

SEC. 2. Any person who shall violate any regulation of the State board of health made pursuant to the provisions of this act shall be fined not more than \$50.

#### **Vaults and Mausoleums for Public Use—Plans and Specifications to be Approved by State Board of Health. (Chap. 206, Act May 7, 1915.)**

SECTION 1. No person shall construct any vault, crypt, or mausoleum for public use, wholly or partially above the surface of the ground, to be used to contain the body of any dead person until plans and specifications thereof shall be approved by the State board of health. Such plans and specifications shall provide: (a) That such structure be so arranged that the cell or crypt may be readily examined at any time by any person authorized by law to examine the same. (b) That suitable provision be made for hermetically and permanently sealing each crypt or cell after the placing of any body therein, and in such manner that no odor or effluvium may escape therefrom. (c) That the materials of which such structure is to be constructed are to be of the best quality and of a character best suited for the purposes intended. Upon approval of such plans and specifications said board shall file a certificate of such approval, signed by the president or secretary of said board, or both, with a copy of such plans and specifications, in the office of the town clerk of the town or city wherein such structure is to be erected, and said clerk shall retain the same on file.

SEC. 2. Such structure shall be erected under the supervision of an inspector to be appointed by said board, which shall determine the amount of his compensation,

which shall be paid by the person erecting the same. No vault, crypt, mausoleum, or structure erected as aforesaid shall be used for the purpose of interring therein any body until the person interring the same shall have obtained from said board a certificate signed by the president or secretary, or both, certifying that the plans and specifications filed pursuant to the provisions of this act have been complied with, which certificate shall be filed in the office of the town clerk.

SEC. 3. Any person or any officer, manager, or agent of any corporation or association, violating any provision of this act, shall be fined not more than \$500, or imprisoned not more than six months: *Provided*, The provisions of this act shall not be construed so as to prohibit or apply to the construction of temporary receiving vaults.

**Sewage—Disposal of. (Chap. 284, Act May 19, 1915.)**

SECTION 1. The term "waters of the State" shall include that portion of the Atlantic Ocean and its estuaries and Long Island Sound and its estuaries within the State, and all springs, ponds, streams, lakes, rivers, wells, and bodies of surface or underground water, whether natural or artificial, within the boundaries of this State or subject to its jurisdiction. "Sewage" shall mean human and animal excretions and all domestic and such manufacturing wastes as may tend to the detriment of the public health.

SEC. 2. The State board of health may investigate all points of sewage discharge and may examine all existing or proposed public sewerage systems and refuse disposal plants, and may compel their operation in a manner which shall protect the public health, or may order their alteration, extension, or replacement by other structures when necessary for the protection of the public health. After the passage of this act no public sewerage system or refuse disposal plant shall be built until the design of the same has been filed with the State board of health.

SEC. 3. No person, corporation, or municipality shall place or permit to be placed or discharge or permit to flow into any of the waters of the State, any sewage, except as hereinafter provided. The provisions of this act shall not prevent the discharge of sewage from any private sewerage system or any public sewerage system owned and maintained by a municipality, provided such sewerage system was in operation and was discharging sewage into the waters of the State, or was in process of construction, on the date of the passage of this act; nor shall the provisions of this act prevent the discharge into the waters of the State of sewage from any existing plant or sewerage system owned and maintained by any person or private corporation; but these exceptions shall not permit the continuance or increase of any pollution of the waters of the State which is prejudicial to the public health.

SEC. 4. Whenever complaint in writing shall be made to the State board of health by the mayor of a city, or any of the selectmen of a town, or the warden or any of the burgesses of a borough, or any committeeman of a fire district, or the local health officer of a city or town, of an existing or threatened pollution of any of the waters of the State, the State board of health shall investigate such complaint, and whenever said board shall have reason to believe that any of the waters of the State are being polluted in a manner prejudicial to the public health, it may, upon its own motion, investigate such pollution. If said board shall find that any of the waters of the State are being polluted in a manner prejudicial to the public health, it may petition the superior court for such order as may be necessary to prevent the continuance of such pollution.

SEC. 5. Any person, or the directors of any private corporation, or the trustees of any institution, who shall discharge sewage, or permit the same to flow into the waters of the State contrary to the provisions of this act, shall be fined not more than \$500 for each offense, or imprisoned not more than six months, or both.

SEC. 6. Any person, corporation, or municipality aggrieved by any order of said board may appeal to the superior court for the county wherein the pollution occurs, or wherein the sewerage system or refuse disposal plant is located. Such appeal shall

be by a petition in writing and shall be taken within 30 days from the date on which the order appealed from is mailed or served. A copy of such petition shall be served on the secretary of the State board of health at least 12 days before the return day. Said court may hear such appeal and determine all questions thereon, either by itself or a committee, in the same manner as upon complaints for equitable relief, and make such order as may be equitable. Such appeal shall be a supersedeas of the order appealed from until final action of the court thereon.

SEC. 7. If any person, corporation, or municipality shall fail to comply with any order issued under the provisions of this act, the State board of health shall bring a complaint against such person, corporation, or municipality to the superior court for Hartford County; and said court may enforce such order in any appropriate manner.

SEC. 8. Nothing contained in this act shall be construed as recognizing a vested right in any person, corporation, or municipality to discharge sewage into the waters of the State, or as legalizing such disposal of sewage.

SEC. 9. The State board of health, on request of any person, corporation, or municipality, shall furnish such person, corporation, or municipality such information and assistance as may be reasonably necessary in ascertaining or installing the most practicable sewerage system or refuse disposal plant.

SEC. 10. This act shall take effect January 1, 1916.

**Midwives—Examination and Registration. (Chap. 110, Act Apr. 8, 1915.)**

SECTION 1. Section 3 of chapter 189 of the public acts of 1913 is hereby amended to read as follows:

No resident shall be eligible to take such examination until she shall present to said examining board a certificate signed by two reputable citizens of this State, stating that she is of good moral character and is a resident of this State, and no non-resident shall be eligible to take such examination until she shall present to said examining board evidence satisfactory to said board that such nonresident is of good moral character.

SEC. 2. Every midwife removing her residence from the town wherein her certificate of registration is recorded under the provisions of chapter 189 of the public acts of 1913, shall cause her certificate of registration to be recorded in the office of the town clerk of the town to which such midwife removes and shall pay a recording fee of 25 cents to such town clerk.

SEC. 3. The State board of health shall record the certificate of registration for every nonresident midwife in a book to be kept by said board for such purpose, and such midwife shall pay said board a fee of 25 cents therefor. Every nonresident midwife having such certificate of registration shall annually register with said board by forwarding to said board a statement containing her name, age, date of her certificate of registration, and residence and post-office address, and shall pay said board for such registration a fee of \$1 and said board shall record the same in a book to be kept for such purpose and shall thereupon issue to such midwife a certificate of such annual registration.

SEC. 4. Every midwife failing to comply with the provisions of this act shall be subject to the penalties provided in section 8 of chapter 189 of the public acts of 1913.

**Physicians, Dentists, Veterinarians, Pharmacists, and Registered Nurses—Revocation of Licenses or Certificates of Registration. (Chap. 104, Act Apr. 8, 1915.)**

SECTION 1. The authority authorized to grant any license or certificate of registration to any physician, dentist, veterinarian, pharmacist, or registered nurse, after giving 10 days' written notice in such manner as it may determine to any person holding such license or certificate of registration, and upon proof that such licensee or holder of such certificate is addicted to the use of any drug to such an extent as to render him incapable of performing his duties, may revoke such license or certificate

of registration. After one year from the date of revocation of such license or certificate of registration, such authority may grant a new license or certificate of registration to such person upon finding that he has recovered from such habit.

**SEC. 2.** Any person aggrieved by the action of the authority revoking any license or certificate of registration, under the provisions of section 1, may bring a petition to the superior court in the county in which he resides, praying that such license or certificate of registration be restored. Such court may restore such license or certificate of registration upon finding any irregularity in the revocation of the same. Such petition shall be brought to the next return day, or the next but one, of such court, and costs in such proceedings shall be taxed in the manner provided for taxation of costs on appeals from decisions of county commissioners in revoking licenses to sell spirituous and intoxicating liquors.

**Medical and Surgical Chests Required in Factories. (Chap. 42, Act Mar. 23, 1915.)**

**SECTION 1.** Every person, firm, or corporation employing persons to work in connection with dangerous machinery in any manufacturing establishment, except those maintaining equipped first-aid-to-the-injured rooms, shall cause to be conveniently placed where such machinery is operated, subject to such change in location as the factory inspector may direct, an emergency kit for use in case of accidents. Such kit shall contain sterilized material for bandages, antiseptic cotton, and restoratives, with such other materials as are necessary in emergencies. Such materials shall be kept in a dust-proof case or cabinet within easy access of all persons employed on such premises.

**SEC. 2.** The executive officer of any corporation, or general manager, or other person, having control of dangerous machinery, who shall fail to comply with any provision of this act shall be fined not more than \$100.

**Mattresses, Pillows, Cushions, etc.—Manufacture of—Labeling Required. (Chap. 59, Act Mar. 24, 1915.)**

**SECTION 1.** Any person, firm, or corporation engaged in the manufacture of mattresses, pillows, cushions, muff beds, down quilts, or bags containing hair, down, or feathers, shall label all manufactured articles as follows: Upon each such mattress, pillow, cushion, muff bed, down quilt, or bag there shall be conspicuously and securely fixed a label of paper or cloth legibly printed in the English language and containing the name and address of the manufacturer and of the kind of material used in the manufacture of such mattress, pillow, cushion, muff bed, or down quilt, and if the material used therein has been previously used in any such article, or is made of second-hand wearing apparel or bedding, it shall be branded "made over." If such manufactured article be inclosed in a bale, bundle, box, or crate, the same shall bear a tag stating that the contents of the package is branded or labeled as required by this act.

**SEC. 2.** No person, firm, or corporation shall use in the manufacture of any mattress, pillow, cushion, muff bed, down quilt, or bag any material which has been used in or about a public or private hospital or sanitarium, or in any room, tenement, or apartment where any person has had any contagious or infectious disease, or by any person having such disease.

**SEC. 3.** No merchant or dealer shall sell, offer, or expose for sale, or deliver to any common carrier any mattress, pillow, cushion, muff bed, down quilt, or bag containing hair, down, or feathers unless the same be branded and labeled as provided in section 1.

**SEC. 4.** Any person, firm, or corporation or association or its officers or agents, engaged in the manufacture of any of the articles mentioned in section 1, or any merchant or dealer, who shall violate any of the provisions of this act, shall be fined not more than \$100, or imprisoned not more than 60 days, or both.

**SEC. 5.** This act shall take effect January 1, 1916.

## DELAWARE.

### Marriages—Registration of—Compensation for Filing Reports. (Chap. 60, Act Mar. 12, 1915.)

SECTION 1. That chapter 25 of the revised code of the State of Delaware be and the same is hereby amended by repealing 814, section 79 thereof, and inserting in lieu thereof the following section, to be styled 814, section 79.

814. SEC. 79. It shall be the duty of any clergyman or minister of religion of any denomination, and of all clerks or keepers of the records of any religious society, and of any other person, by or before whom any marriage or marriages may be solemnized or contracted, to make full and complete return of the same, on blanks furnished by the State registrar, on or before the 10th day of the month following [sic] in which said marriage or marriages are solemnized or contracted, to the local registrar of the district in which said marriage or marriages are solemnized or contracted. A separate form shall be used for each marriage reported. All such certificates shall be filed according to their date.

For each marriage certificate properly and completely made out and registered with the local registrar or local registrar of the district in which the marriage took place, the maker thereof shall receive the sum of 10 cents. The local registrar shall certify to the State registrar the amount thus due each person on the first day of each year.

The State registrar shall draw by warrant from the treasurer of each county the amount due each person for said marriage certificates in each county, and shall immediately on receiving said moneys from said county treasurer pay said persons as provided in this section, provided that said amount shall tally with the marriage certificate records in the bureau of vital statistics.

Every clergyman, minister, clerk, or keeper of records, or other person, before whom marriages may be contracted in this section designated shall, within 24 hours after said marriage, report said marriage to the State registrar on a form supplied by the State registrar.

The form shall contain the following information:

Name of groom.

Residence of groom.

Name of bride.

Residence of bride.

Date of marriage.

Place of marriage.

Name of person or clerk solemnizing marriage.

This report shall in no way supplant or relieve any responsibility for filing a certificate of the marriage as provided for in this section; any such person or clerk failing to make a report as herein provided shall be liable to the penalties provided in section 83 of this chapter.

SEC. 2. That chapter 25 of the revised code of the State of Delaware be, and the same is hereby, amended by repealing 819, section 84 thereof, and by inserting in lieu thereof the following section, to be styled 819, section 84:

819. SEC. 84. The local registrars are charged with the strict and thorough enforcement of the provisions of this article in their several districts under the supervision and direction of the State registrar. They shall make an immediate report to the State registrar of any violation of said article coming to their notice by observation or upon complaint

of any person or otherwise. The State registrar is charged with the thorough and efficient execution of the provisions of said article in every part of the State, and with the supervisory power over local registrars, to the end that all of its requirements shall be uniformly complied with. He shall have authority to investigate cases of irregularity or violation of law, personally or by accredited representative.

All local registrars shall aid him, upon request, in such investigation.

For any violation of said article or parts thereof the State registrar may bring action against the violator before any justice of the peace.

When he shall deem it necessary, he shall report cases of violation of any of the provisions of said article to the attorney general, with a statement of the facts and circumstances, and when any such case is reported to him by the State registrar the attorney general shall forthwith initiate and promptly prosecute necessary proceedings against the parties responsible for the alleged violations of law.

**Animals, Birds, and Fish—Disposal of Dead Bodies. (Chap. 229, Act Mar. 15, 1915.)**

That chapter 100 of the revised code of the State of Delaware be, and the same is hereby, amended by repealing 3593, section 158 of said chapter, and inserting in lieu thereof the following section, to be styled 3593, section 158:

3593. SEC. 158. It shall be unlawful for the owner of any dead bird or animal or fish within this State which has died or been killed (excepting such birds, animals, or fish as may have been killed or taken in the regular course of trade, and also excepting such birds, animals, or fish as may have been sold and disposed of for manufacturing or other lawful purposes) to leave the same unburied for more than 24 hours after its death; and it shall be unlawful for any person to drag out and leave unburied the body of any bird or animal which has died or been killed.

Any person who violates any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined a sum not less than \$20 nor more than \$50 for each offense.

**Laundries and Washhouses—Regulation of—Control by Local Boards of Health. (Chap. 59, Act Apr. 12, 1915.)**

That chapter 25 of the revised statutes of the State of Delaware be, and the same is hereby, amended by the insertion therein of the following sections: 746A, section 11A; 746B, section 11B; 746C, section 11C; 746D, section 11D; 746E, section 11E.

746A. SEC. 11A. That the boards of health of the respective towns and cities of the State of Delaware (where such towns and cities have such boards of health) shall supervise all public laundries and public washhouses within such towns and cities, and shall not permit the employment by any public laundry or public washhouse of any person suffering with an infectious or contagious disease; nor allow any person to sleep in such public laundry or public washhouse, or in any room adjoining and opening into such public laundry or public washhouse, and every room in such laundry or washhouse that is used for the purpose of washing or drying clothes shall be properly ventilated and drained, and shall be used for no purposes other than those specified. The floors of all rooms in public laundries or public washhouses, as aforesaid, used for the purpose of washing clothes, shall be made of cement or other mineral substance, and shall be so arranged as to be easily drained.

746B. SEC. 11B. The board of health of any town or city within the State shall, upon request of any citizen in such town or city, inspect any public laundry or public washhouse, and if the same is found in an insanitary condition shall direct such owner thereof forthwith to make the same in a sanitary condition, and upon failure so to do the said board of health shall cause the place to be closed, and shall post a notice upon the front door thereof, and shall not be reopened until the owner or manager thereof



receives a certificate from said board of health certifying that the same has been put in a sanitary condition.

746C. SEC. 11C. Any person, persons, firm, or corporation violating any of the provisions of this act shall be deemed guilty of a misdemeanor and shall be fined not less than \$50 nor more than \$100 for each offense, and every day during which the violation of this act shall be persisted in, after notice from the board of health in any town or city of the State, shall be deemed to constitute a separate offense.

746D. SEC. 11D. A public laundry or public washhouse within the meaning of this act shall be any place within any town or city of the State of Delaware now or hereafter required by the laws of the State to be licensed for the conduct of its business or any branch thereof.

746E. SEC. 11E. Nothing in sections 746A, section 11A; 746B, section 11B; 746C section 11C; 746D, section 11D, of this chapter shall apply to the laundering or washing of clothes in any private residence or hotel.

## **DISTRICT OF COLUMBIA.**

### **Rabies—Muzzling of Dogs Required. (Order Comrs., Aug. 3, 1915.)**

Ordered: That, under the provisions of section 7 of the act of Congress approved June 19, 1878, entitled "An act to create a revenue in the District of Columbia by levying a tax upon all dogs therein, to make such dogs personal property, and for other purposes," the commissioners hereby give notice that every dog in said District shall, for a period of one year from and after the 10th instant, wear a good and substantial muzzle, securely put on, so as to prevent it from biting or snapping; and any dog going at large during said period without such muzzle shall be taken up by the pound-master and impounded.

### **Disinfection—Registration of Persons Engaged in—Permit—Analysis of Disinfectants. (Reg. Comrs., Apr. 2, 1915.)**

1. Every person engaged in disinfecting or fumigating for pay premises or parts of premises in the District of Columbia shall register his name and his place of business in a book to be provided for that purpose in the health office of the District of Columbia; shall file with the health officer of said District a written statement, under oath, describing in detail the methods employed by him in the execution of such work; and shall leave with said health officer at the time of registration a sufficient quantity of each and every one of the substances that he intends to use, sufficient for purposes of analysis, and if any substance so to be used be a compound or mixture of two or more ingredients, state the formula thereof.

2. Every person engaged in disinfecting or fumigating for pay premises or parts of premises in the District of Columbia, who desires to adopt any method not recorded by him in the health office of said District or to use any substance in connection with his business a sample of which has not been left by him at said office, as required by section 1 of these regulations, shall file with said office a written statement, under oath, describing in detail the method that he intends to employ thereafter, and shall leave at said office a sample of any new material which he proposes thereafter to employ, sufficient for purposes of analysis, and if any substance so to be used be a compound or mixture of two or more ingredients, state the formula thereof.

3. No person engaged in disinfecting or fumigating for pay premises or parts of premises in the District of Columbia shall use for that purpose any method not recorded by him in the health office of the District of Columbia, or any substance samples of which have not been left by him at said office, as required by sections 1 and 2 of these regulations, and which method or substance, or both, as the case may be, have not been approved for such use, in writing, by the health officer of said District, who is hereby authorized to approve and to disapprove methods and materials submitted to him as required by sections 1 and 2 of these regulations.

4. No person disinfecting or fumigating, whether for pay or otherwise, any premises or parts of premises in the District of Columbia, shall use for that purpose potassium cyanide, hydrocyanic acid, or hydrocyanic acid gas, without a permit in writing from the health officer so to do, such permit to relate merely to such premises as are named in it.

5. Any person who violates any of the provisions of these regulations shall be punished, upon conviction thereof, by a fine not exceeding \$50.

6. The word "person" as used in these regulations shall be held to include not only natural persons, but also partnerships, associations, and corporations; and any person, partnership, association, or corporation registered under these regulations may act not only in person or by the individuals making up said partnership, association, or corporation, but also through agents employed for that purpose, which agents need not be personally registered at the health office.

[These regulations became effective on May 5, 1915.]

**Department of Health—Appropriations for the Fiscal Year Ending June 30, 1916.**  
(Act of Congress No. 268, Mar. 3, 1915.)

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**HEALTH DEPARTMENT.**

Health officer, \$4,000; assistant health officer, \$2,500; chief clerk and deputy health officer, \$2,500; clerks—one \$1,400, five at \$1,200 each, four at \$1,000 each, one \$720; sanitary inspectors—chief \$1,800, eight at \$1,200 each, two at \$1,000 each, two at \$900 each; food inspectors—chief \$1,600, five at \$1,200 each, six at \$1,000 each, five at \$900 each; chemist, \$2,000; assistant chemist, \$1,200; assistant bacteriologist, \$1,200; skilled laborers—one \$720, one \$600; messenger and janitor, \$600; driver, \$600; pound-master, \$1,200; laborers, at not exceeding \$50 per month each, \$2,400; in all, \$64,940.

Not less than 12 of the sanitary and food inspectors above provided for shall be employed in enforcement of milk and pure food laws and regulations relating thereto and in the inspection of dairies and dairy farms.

For enforcement of the provisions of an act to prevent the spread of contagious diseases in the District of Columbia, approved March 3, 1897, and an act for the prevention of scarlet fever, diphtheria, measles, whooping cough, chicken pox, epidemic cerebrospinal meningitis, and typhoid fever in the District of Columbia, approved February 9, 1907, and an act to provide for registration of all cases of tuberculosis in the District of Columbia, for free examination of sputum in suspected cases, and for preventing the spread of tuberculosis in said District, approved May 13, 1908, under the direction of the health officer of said District, and for the prevention of other communicable diseases, including salaries or compensation for personal services, not exceeding \$12,000, when ordered in writing by the commissioners and necessary for the enforcement and execution of said acts, and for the prevention of such other communicable diseases as hereinbefore provided, purchase and maintenance of necessary horses, wagons, and harness, purchase of reference books and medical journals, and maintenance of quarantine station and smallpox hospital, \$25,000: *Provided*, That any bacteriologist employed under this appropriation shall not be paid more than \$6 per day and may be assigned by the health officer to the bacteriological examination of milk and other dairy products and of the water supplies of dairy farms, and to such other sanitary work as in the judgment of the health officer will promote the public health, whether such examinations be or be not directly related to contagious diseases.

For repairs to the smallpox hospital and administration building, \$1,000.

For repairing and painting quarantine station, \$400.

For maintenance of disinfecting service, including salaries or compensation for personal services when ordered in writing by the commissioners and necessary for maintenance of said service, and for purchase and maintenance of necessary horses, wagons, and harness, \$6,000.

For enforcement of the provisions of an act to provide for the drainage of lots in the District of Columbia, approved May 17, 1896, and an act to provide for the abatement of nuisances in the District of Columbia by the commissioners, and for other purposes, approved April 14, 1906, \$1,500.

For special services in connection with the detection of the adulteration of drugs and of foods, including candy and milk, \$100.

Bacteriological laboratory: For maintaining and keeping in good order, and for the purchase of reference books and scientific periodicals, \$1,000.

Chemical laboratory: For the purchase and installation of new apparatus and equipment, \$2,080; for the replacement of apparatus and equipment, \$755; and for maintaining and keeping in good order, and for the purchase of reference books and scientific periodicals, \$500; in all, \$3,335.

For contingent expenses incident to enforcement of an act to regulate the sale of milk in the District of Columbia, and for other purposes, approved March 2, 1895; an act relating to the adulteration of foods and drugs in the District of Columbia, approved February 17, 1898; an act to prevent the adulteration of candy in the District of Columbia, approved May 5, 1898; an act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes, approved June 30, 1906, \$1,000.

For necessary expenses of inspection of dairy farms, including amounts that may be allowed the health officer, assistant health officer, medical inspector in charge of contagious-disease service, and inspectors assigned to the inspection of dairy farms, for maintenance by each of a horse and vehicle, or motor vehicle, for use in the discharge of his official duties, not to exceed \$240 per annum, and allowances for such other inspectors in the service of the health department as the commissioners may determine, of not exceeding \$100 per annum for maintenance of a motor cycle each, or of not exceeding \$25 per annum for the maintenance of a bicycle each, for use in the discharge of their official duties, and other necessary traveling expenses, \$6,000, or so much thereof as may be necessary.

The examinations, inspection, rules, and regulations concerning the milk supply of the District of Columbia shall be applied alike to each State shipping milk into said District.

Garfield and Providence Hospitals: For isolating wards for minor contagious diseases at Garfield Memorial and Providence Hospitals, maintenance, \$7,000 and \$5,000, respectively, or so much thereof as in the opinion of the commissioners may be necessary; in all, \$12,000.

For maintenance, including personal services, of the public crematory, \$2,000.

For maintenance of one motor vehicle for the sanitary and food inspection service, \$400.

\* \* \* \* \*

#### **Common Drinking Cups—Prohibited in Public Places. (Reg. of Commissioners, Dec. 3, 1915.)**

SECTION 1. No person shall provide or expose any cup, mug, drinking glass, or similar article for use by the public generally in any place under his control, or allow any cup, mug, drinking glass, or similar article to be so provided, exposed, or used there, unless such cup, mug, drinking glass, or other article has been thoroughly cleansed and has been sterilized since last used.

SEC. 2. Any person who violates any of the provisions of this regulation shall, on conviction thereof, be punished by a fine not exceeding \$25.

SEC. 3. This regulation shall take effect on and after February 1, 1916.

#### **Common Eating and Drinking Utensils and Toilet Articles—Prohibited in Public Places. (Reg. of Commissioners, Dec. 3, 1915.)**

SECTION 1. No person shall provide or expose for common use, or permit to be provided or exposed for common use, in any hotel, restaurant, lunch room, store, shop, school, office building, place of amusement, or any similar establishment, any article named below, unless it has been thoroughly cleansed since last used; that it to say,

any cup, mug, glass, fork, spoon, finger bowl, jar, spirometer mouthpiece, napkin, towel, or similar article.

SEC. 2. No person shall put any beverage, food, ice cream, or similar article, preserves, condiment or flavoring extract or sirup, into any cup, mug, glass, jar, can, bottle, or other receptacle not provided by the purchaser, for sale, unless the same has been thoroughly cleansed before such filling and that is clean at the time thereof; nor, after July 1, 1916, unless to the knowledge of the person filling the same said cup, mug, glass, jar, can, bottle, or other receptacle has been sterilized by hot water or by steam since last used. No person shall knowingly have in his custody or possession for sale any cup, mug, glass, jar, can, bottle, or other receptacle filled in violation of these regulations.

SEC. 3. No person shall maintain any hotel, restaurant, lunch room, eating place, barroom, saloon, soda water fountain, or other place where food or drink is sold for consumption on the premises; or any hospital or asylum for human beings; or any beverage, [sic] food, ice cream or similar article, preserves, condiment, or flavoring sirup or extract is bottled, canned, or packed, unless the same be provided with adequate facilities for the cleansing and sterilization of all cups, mugs, drinking glasses, forks, spoons, and finger bowls used by any patron, customer, patient, inmate, visitor, or employee, and of all bottles, jars, cans, and other receptacles filled for sale.

SEC. 4. Any person violating any of the provisions of these regulations shall be punished, on conviction thereof, by a fine not exceeding \$25.

SEC. 5. These regulations, except as otherwise hereinbefore specified, shall take effect on and after February 1, 1916.

**Common Towels—Prohibited in Public Places. (Reg. of Commissioners, Dec. 3, 1915.)**

SECTION 1. No person shall provide or expose any towel or similar article for use by the public generally in any place under his control or allow any towel or similar article to be so provided, exposed, or used there, unless such towel has been thoroughly cleansed since last used.

SEC. 2. Any person who violates any of the provisions of this regulation shall, on conviction thereof, be punished by a fine not exceeding \$25.

SEC. 3. This regulation shall take effect on and after February 1, 1916.

## **FLORIDA.**

### **Communicable Diseases—Dissemination of Information Concerning—Public Health Exhibit on Railway Car. (Chap. 6894, Act May 13, 1915.)**

**SECTION 1.** The State board of health is hereby authorized to disseminate information concerning the cause, nature, extent, and prevention of communicable disease, and shall arrange for free lectures and health exhibits, and shall cause to be printed and distributed, free of cost to the people, bulletins, pamphlets, circulars, leaflets, cards, and other printed matter containing useful information for the protection of the individual and the public health.

Said board is further authorized to send a public health exhibit in a railway car or cars over the lines of railroads in this State, and shall cause the exhibit to be displayed in the cities and towns and other places in its discretion on such railway lines. With the display of the exhibit there may be given free lectures and talks to the people, illustrated, where possible, with stereopticon and moving pictures, and printed matter containing useful information pertaining to the protection of health and prevention of disease shall be distributed. The details of the work shall be planned by the said board, and the State health officer may employ assistants to carry on the work, for such periods of time as may be necessary, and shall fix their salaries. Necessary expenses of such employees shall be paid in the same manner that expenses of other employees of the State board of health are paid.

**SEC. 2.** It shall be lawful for any railroad company to furnish and transport, free of charge, a car or cars for the display of the public health exhibit, and to furnish free transportation to any such car or cars owned or used by said board, and to persons actually engaged in the work in connection with the display of the public health exhibit.

**SEC. 3.** It shall be lawful for any county, city, or town or the governing body of any county, city, or town to contribute to the local expense of the display of the public health exhibit.

**SEC. 4.** It shall be lawful for the State health officer to accept donations and contributions to the expense of the display of the public health exhibit.

**SEC. 5.** That all expenses incident to or necessary in the execution of any of the powers by the act vested in said State board of health or State health officer, or their employees or agents, shall be paid by said board out of the funds for the maintenance and support of said State board of health.

### **Flies—Screening Required in Public Eating Places and Dining Cars. Foodstuffs—Protection of, by Screening in Markets and Stores. (Chap. 6953, Act May 13, 1915.)**

**SECTION 1.** On and after the passage of this act it shall be unlawful for any person, firm, or corporation to operate any hotel, boarding house, restaurant, or lunch counter within this State without keeping all doors, windows, and other similar openings in or to dining rooms, kitchens, or any other place where food is prepared or stored, and passageways between the same, and hallways leading thereto, screened with wire netting, with mesh sufficiently close to prevent the admission of flies.

**SEC. 2.** It shall be unlawful for any person, firm, or corporation to sell or offer for sale food for consumption in the raw state, or which may be consumed without further

cooking at any meat shop, butcher shop, market, grocery store, fruit stand, or any other places where food is exposed for sale without having such food securely screened by wire netting with mesh sufficiently close to prevent the admission of flies.

SEC. 3. It shall be unlawful for any person, firm, or corporation to operate any dining or buffet car within this State without having all doors, windows, and other similar openings to the same securely screened with wire netting with mesh sufficiently close to prevent the admission of flies.

SEC. 4. It shall be the duty of the owner, tenant, operator, or person in charge of any of the foregoing described hotels, boarding houses, restaurants, lunch counters, meat shops, butcher shops, grocery stores, fruit stands, dining rooms, kitchens, dining or buffet cars, lunch counters, and other places to keep all flies out of the said places so far as may be possible.

SEC. 5. Any person, firm, or corporation found guilty of violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction fined not exceeding \$50 or punished by imprisonment not exceeding three months. Each day's business conducted in violation of the provisions of this act shall constitute a separate offense.

**Schools—Medical Inspection of Pupils. (Chap. 6829, Act June 4, 1915.)**

SECTION 1. The State board of health shall have supervision over all matters pertaining to the medical inspection of school children in Florida, with such duties and powers as are prescribed by law pertaining to public health; and all school children shall be examined as to their physical condition at least once during each school year.

SEC. 2. It shall be the duty of the State board of health, as soon after the passage of this act as practicable, to formulate and adopt such rules and regulations as will be necessary to provide for thorough and uniform medical inspection of school children in Florida, as provided in section 1 of this act.

SEC. 3. The county physicians of each county in the State of Florida shall act as county medical inspectors of school children in their respective counties, providing that in such counties where there are no regular appointed county physicians it shall be the duty of the board of county commissioners to appoint a physician as county medical inspector of school children: *Provided further*, That the county physician or county medical inspector of school children be paid for their services out of the State board of health funds: *Provided further*, That no one physician shall have more than 2,500 school children under his charge, and in counties having more than 2,500 school children there shall be two medical inspectors of school children appointed, as aforesaid.

SEC. 4. The provisions of this act shall not affect cities of over 5,000 inhabitants where medical inspection of school children has already been established under the jurisdiction of the city board of health, provided that the city board of health adopt the forms prescribed by the State board of health and make full report to the State board of health.

SEC. 5. The expenditures of the State board of health for the purpose of carrying out the provisions of this act shall be certified by the president of the State board of health, and he shall make an annual report to the governor of all such expenditures, together with any special observations, recommendations, or facts that he may present, showing the value of medical school inspection from a public health standpoint or from a standpoint of educational efficiency, or otherwise, and such annual statements shall finally be submitted by the governor to the State legislature, when in regular session convened, and shall be published like other reports of State officers. The accounts necessary to carry out the provisions of this act shall be approved, audited, and paid in the same manner as is prescribed for the payment of other accounts of the State board of health and out of the State board of health funds.

**Schools—Medical Inspection of Pupils. (Reg. Bd. of H., Aug. 30, 1915.)**

**RULE 1.** County medical inspectors appointed by boards of county commissioners will be authorized to enter upon their duties as prescribed by law when found by the State health officer to be possessed of proper professional qualifications and of good health, personal, and professional character, and upon their written assent to abide by the rules and regulations of the State board of health and instructions issued from time to time by the State health officer. They shall be subject to revocation of appointment by the county commissioners on the advice and recommendation of the State health officer for neglect of duty, infractions of the rules and regulations or said instructions, or immoral or unprofessional conduct.

**RULE 2.** The county medical inspectors aforesaid, for their services, shall receive remuneration at the rate of 10 cents per pupil per annum for the necessary examination of school children under their jurisdiction, named in accordance with the statutes and rules and regulations of the State board of health, and instructions of the State health officer. County superintendents of public instruction shall certify to the correctness of their accounts.

**RULE 3.** Boards of county commissioners shall divide their counties into such districts as may be necessary when such division is required by law.

**RULE 4.** Every child attending any school, public or private, white or colored, shall be examined at least once each year in accordance with these rules and regulations and the instructions of the State health officer, by such county physician or county medical inspector as may have jurisdiction over the territory in which such child may be enrolled for school attendance.

**RULE 5.** Such examination by said physicians shall be instituted as soon as possible and within one month after the beginning of the school year.

**RULE 6.** The examinations shall include the following:

- (1) Previous disease, including infectious diseases.
- (2) General condition and circumstances.
  - (a) Height and weight.
  - (b) Nutrition (good, medium, bad).
  - (c) Cleanliness (including vermin of the head and body).
  - (d) Clothing (sufficiency, cleanliness, footgear).
- (3) Throat, nose, and articulation (mouth-breathing, snoring, stammering, tonsillar and glandular conditions, adenoids).
- (4) External eye disease and vision-testing.
- (5) Ear disease and deafness.
- (6) Teeth and oral sepsis.
- (7) Mental capacity (normal, backward, defective).
- (8) Present disease or defect.
  - (a) Deformities or paralysis.
  - (b) Rickets.
  - (c) Tuberculosis (glandular, pulmonary, osseous, or other).
  - (d) Diseases of the skin and lymph glands.
  - (e) Diseases of the heart or lungs.
  - (f) Nervous or mental diseases.
  - (g) Ruptures.
  - (h) Spinal disease or orthopedic defect.
  - (i) Anemia.
  - (j) Hookworms or other intestinal parasites.
  - (k) Any weakness or defect unfitting the child for ordinary school life or physical drill, or requiring either exemption from special branches of instruction or particular supervision.

and shall be made, recorded and reported in accordance with detailed instructions of the State health officer, and upon forms approved by him and furnished by the State board of health.



**RULE 7.** Said physician shall be charged with the care and custody of said reports and records and shall deliver them to their successors in office, or as they may be instructed by the State health officer.

**RULE 8.** In cities of over 5,000 inhabitants, where medical inspection of school children has already been established under the jurisdiction of the city board of health and [sic] the said board shall make reports as instructed by the State health officer.

**RULE 9.** The county superintendents of public instruction shall instruct all principals and teachers to devote such time and attention as may be necessary in the judgment of the county medical inspector to carry out the purposes and provisions of the law, these rules and regulations, and the instructions of the State health officer.

**Schools—Adequate Toilet Facilities to be Provided—Construction of Toilets. (Chap. 6836, Act May 13, 1915.)**

**SECTION 1.** That all school buildings, public or private, in this State shall be provided with adequate facilities for nature's conveniences, by either water carriage or surface closets, with separate compartments for each sex.

**SEC. 2.** That in rural districts where sewerage systems do not exist, all surface closets used in connection with such schools shall be of fly-proof construction and in conformity with plans recommended or approved by the State board of health, with separate compartments for each sex.

**SEC. 3.** That any public school board or any person, firm, or corporation conducting any private school, who shall have charge of the erection, repair, or maintenance of any school building, who shall fail to provide said buildings with the facilities required by section 1 of this act, or who shall fail to provide surface closets as required by section 2 of this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding \$50.

**Habit-Forming Drugs—Sale and Dispensing—Use in Treatment of Drug Addicts. (Chap. 6891, Act May 19, 1915.)**

**SECTION 1.** It shall be unlawful for any pharmacist, druggist, apothecary, or other person, firm, or corporation doing business in which drugs, medicines, or poisons are retailed or physicians' prescriptions are compounded or dispensed, to sell at retail any opium or coca leaves or any compound, manufacture, salt, derivative or preparation thereof, except upon the written prescription of a duly licensed physician or of a dentist or a veterinary surgeon and except as hereinafter provided. Such prescription shall contain the name and address of the person for whom it is written, the exact amount of any of the above-named drugs or substances to be given and the signature of the physician writing it. No pharmacist, druggist, apothecary, or other person, firm, or corporation shall sell, dispense, or otherwise furnish more or less of any of the before-mentioned drugs, compounds, or mixtures than the amount set forth in such prescription. Every such prescription shall contain the date upon which it shall have been filled and a serial number. Such prescription shall be filled but once, and no copy shall be given to any person, except that a copy may be taken by any officer or agent of the State board of health, the local board of health, or of the law.

**SEC. 2.** That the provisions of this act shall not be construed to apply to the sale, distribution, giving away, dispensing, or possession of preparations and remedies which do not contain more than two grains of opium, or more than one-fourth grain of morphine, or more than one-eighth grain of heroin, or more than one grain of codeine, or any salt or derivative of any of them in one fluid ounce, or, if a solid or semisolid preparation, in one avoirdupois ounce; or, to liniments, ointments, or other preparations which are prepared for external use only, except liniments, ointments, and other preparations which contain cocaine or any of its salts or alpha or beta cocaine or any of their salts or any synthetic substitute for them; *Provided*, That such remedies and preparations are sold, distributed, given away, dispensed, or possessed as medi-

cines and not for the purpose of evading the intentions and provisions of this act. The provisions of this act shall not apply to decocainized coca leaves or preparations made therefrom, or to other preparations of coca leaves which do not contain cocaine.

SEC. 3. Any duly licensed physician, a dentist, or veterinary surgeon may prescribe, dispense, or administer any of the before-mentioned drugs or preparations or their derivatives for the treatment or cure of diseases in the course of their professional practice: *Provided*, That such physician, dentist, or veterinary surgeon shall not prescribe, dispense, or furnish any of the before-mentioned drugs to any persons who may be addicted to the habitual use of these drugs or any of their derivatives or preparations, except that a duly licensed physician may, for the cure of such habit or addiction, prescribe or administer these drugs in reducing doses to an habitual user while personally supervising and controlling such habitual user and treating him or her for the habit or addiction aforesaid. In the event that any such case of habitual user of any of the drugs mentioned in section 1 of this act shall prove refractory or unusually difficult of treatment, it shall be the duty of the physician treating such case to report the fact to the State board of health, the local board of health, or to the county judge. It shall also be the duty of any physician treating any such case of drug addiction to report such case to the State board of health, the local board of health, or to the county judge, in the event that such patient shall not pursue his treatment in good faith until final cure: *Provided*, That nothing in this section shall prevent the prescribing, by a duly licensed physician, of opium or any of its derivatives or preparations for such habitual users or addicts as may be declared incurable after investigation by the county judge and an agent of the State board of health, or of a municipal health officer, in and after consultation with the physician in attendance.

SEC. 4. In the event that such refractory or difficult or uncured case be brought to the attention of the authorities mentioned in section 3, it shall be the duty of said authorities to bring such case to the official attention of the prosecuting officer of the county.

SEC. 5. It shall be the duty of the prosecuting officers of each county to prosecute each offender against this act when duly brought to his notice.

SEC. 6. Any violation of this act shall be a misdemeanor and shall be punished by a fine of not more than \$500 or imprisonment for not more than 30 days. A second conviction shall be punished by a fine of not over \$2,000 or by imprisonment for not more than one year. Furthermore, if, upon a second conviction, the offender be a licensed physician, veterinary surgeon, or a licensed pharmacist, in addition to the fine, his or her license to practice medicine or pharmacy in the State of Florida shall be permanently revoked.

#### **Drug Addicts—Commitment, Detention, and Treatment. (Chap. 6896, Act June 5, 1915.)**

SECTION 1. That the Florida Hospital for the Insane shall be used for the detention, care, and treatment of all persons addicted to the excessive use of opium, cocaine, their derivatives and compounds, and other narcotic drugs, and the board of commissioners of State institutions shall have the management, control, and the same powers and duties with respect to such persons in said Florida Hospital for the Insane as it [sic] now or may hereafter be possessed by said board with reference to lunatics or insane persons.

SEC. 2. That the superintendent of the said Florida Hospital for the Insane, under the direction of the board of commissioners of State institutions, shall have the care and charge of all persons committed to said Florida Hospital for the Insane under this act. Said board of commissioners of State institutions shall be authorized to employ such physicians, medical attendants, nurses, and other persons as may be necessary in their judgment for the proper administration of this act.

SEC. 3. That all persons who are regularly committed to said Florida Hospital for the Insane, who have been duly adjudged under the provisions of this act to be indigent and addicted to the excessive use of the drugs hereinabove mentioned, shall be admitted to said Florida Hospital for the Insane; but whenever in the opinion of the board of commissioners of State institutions it shall be necessary to restrict the number of admissions of such persons for lack of room or any other reason, said board may notify by mail the county judge of each county in this State of that fact, and after such notice no further commitments shall be made hereunder until said order shall be suspended by said board of commissioners of State institutions.

SEC. 4. That the county judge of the county in which the person addicted to the excessive use of said drugs, or any of them, resides shall have jurisdiction to make and enter an order or orders for the commitment of such person to the said Florida Hospital for the Insane. Said jurisdiction shall be exercised by the filing of a petition by such person voluntarily, in which event said petition need not be verified, or by any other person who shall have first obtained leave of such county judge to make and file said petition, in which event said petition shall state, under oath of the petitioner, the name of the person sought to be committed, his residence, family, physical and financial condition, and the nature and extent of the use of any such drug by such person sought to be committed, and any other facts which may be necessary to inform the court of the condition and situation of the party sought to be committed and of the propriety of such commitment. Upon the presentation of such petition, if made by another than the person sought to be committed, such county judge shall issue his capias, which shall be served by the sheriff of such county, commanding the person accused to appear before such county judge for examination at a date named in said capias. At the time fixed in said capias said judge shall take such testimony as may be adduced respecting the charge contained in said petition. The accused may be represented by counsel, and the county judge may, if he deems it necessary, require the county solicitor, if there be such in said county, otherwise the State attorney, to appear at said hearing and represent the State of Florida and the accused therein.

**Privies—Incorporated Towns—Required to be Fly Proof—Plans to be Recommended or Approved by State Board of Health. (Chap. 6895, Act May 18, 1915.)**

SECTION 1. That any person, firm, or corporation keeping or maintaining surface closets and privies used for the deposit of human excreta within incorporated limits, which are not fly proof in construction and are not in conformity with plans recommended or approved by the State board of health, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding \$10.

**Births and Deaths—Registration of. (Chap. 6892, Act May 27, 1915.)**

SECTION 1: That the State board of health shall have charge of the registration of births and deaths; shall furnish forms and blanks for obtaining and preserving such records and shall procure the faithful registration of the same in each primary registration district as constituted in section 3 of this act, and in the central bureau of vital statistics at the office of the State board of health. The said board shall be charged with the uniform and thorough enforcement of the law throughout the State, and shall from time to time recommend any additional legislation that may be necessary for this purpose.

SEC. 2. That the central bureau of vital statistics, which is hereby authorized to be established by said board, shall be under the immediate direction of the State health officer who shall be by virtue of his office State registrar of vital statistics. The State board of health shall provide for such clerical and other assistants as may be necessary for the purposes of this act, and shall fix the compensation of persons

thus employed, and shall provide for the bureau of vital statistics, suitable offices which shall be properly equipped with fireproof vault and filing cases for the permanent and safe preservation of all official records made and returned under this act.

SEC. 3. That for the purposes of this act the State shall be divided into registration districts as follows: Each city and each incorporated town shall constitute a primary registration district; and for that portion of each county outside of the cities and incorporated towns therein the State registrar shall define and designate the boundaries of a sufficient number of rural registration districts, which districts he may change, divide, or combine from time to time as may be necessary to insure the convenience and completeness of registration.

SEC. 4. That within 90 days after the taking effect of this act, or as soon thereafter as possible, the State registrar shall appoint a local registrar of vital statistics for each registration district in the State. The term of office of each local registrar so appointed shall be four years, and until his successor has been appointed and has qualified, unless such office shall sooner become vacant by death, disqualification, operation of law, or other causes: *Provided*, That in incorporated towns or cities where health officers or other officials are, in the judgment of the State registrar, conducting effective registration of births and deaths under local ordinances, such officials may be appointed as registrars in and for such incorporated towns or cities, and shall be subject to the instructions of the State registrar, and to all of the provisions of this act. Any vacancy occurring in the office of local registrar of vital statistics shall be filled for the unexpired term by the State registrar. At least 10 days before the expiration of the term of office of any such local registrar, his successor shall be appointed by the State registrar.

Any local registrar who, in the judgment of the State registrar, fails or neglects to discharge efficiently the duties of his office as set forth in this act, or to make prompt and complete returns of births and deaths as required thereby, shall be forthwith removed by the State registrar, and such other penalties may be imposed as are provided under section 22 of this act.

Each local registrar shall, immediately upon his acceptance of appointment as such, appoint a deputy, whose duty it shall be to act in his stead in case of his absence or disability; and such deputy shall in writing accept such appointment, and be subject to all instructions governing local registrars. And when it appears necessary for the convenience of the people in any district, the State registrar is hereby authorized, to appoint one or more suitable persons to act as subregistrars, who shall be authorized to receive certificates, to issue burial, removal, or other permits in and for such portions of the district as may be designated; and each subregistrar shall note, on each certificate, over his signature, the date of filing, and shall forward all certificates to the local registrar of the district within 10 days, and in all cases before the third day of the following month: *Provided*, That such subregistrar shall be subject to the supervision and control of the State registrar, and may be by him removed for neglect or failure to perform his duty in accordance with the provisions of this act or the instructions of the State registrar, and shall be subject to the same penalties for neglect of duty as the local registrar.

SEC. 5. That the body of any person whose death occurs in this State, or which shall be found dead therein, shall not be interred, deposited in a vault or tomb, cremated, or otherwise disposed of or removed from or into any registration district or be temporarily held pending further disposition more than 72 hours after death unless a permit for burial, removal, or other disposition thereof shall have been properly issued by the local registrar of the registration district in which the death occurred or the body was found. And no such burial or removal permit shall be issued by any registrar until, wherever practicable, a complete and satisfactory certificate of death has been filed with him as hereinafter provided: *Provided*, That when a dead body is transported from outside the State into a registration district in Florida for burial the transit or

removal permit, issued in accordance with the law and health regulations of the place where the death occurred, shall be accepted by the local registrar of the district into which the body has been transported for burial or other disposition as a basis upon which he may issue a local burial permit; he shall note upon the face of the burial permit the fact that it was a body shipped in for interment, and give the actual place of death; and no local registrar shall receive any fee for the issuance of burial or removal permits under this act other than the compensation provided in section 20.

SEC. 6. That a stillborn child shall be registered as a birth and also as a death, and separate certificates of both the birth and death shall be filed with the local registrar, in the usual form and manner, the certificate of birth to contain in place of the name of the child the word "stillbirth": *Provided*, That a certificate of birth and a certificate of death shall not be required for a child that has not advanced to the fifth month of uterogestation. The medical certificate of the cause of death be signed by the attending physician, if any, and shall state the cause of death as "stillborn," with the cause of the stillbirth, if known, whether a premature birth, and, if born prematurely, the period of uterogestation, in months, if known; and a burial or removal permit of the prescribed form shall be required. Midwives shall not sign certificates of death for stillborn children; but such cases, and stillbirths occurring without attendance of a physician, shall be treated as deaths without medical attendance, as provided for in section 8 of this act.

SEC. 7. That the certificate of death shall be on the standard form approved by the United States Bureau of the Census, all of the items of which are hereby declared necessary for the legal, social, and sanitary purposes subserved by registration records. The personal and statistical particulars shall be authenticated by the signature of the informant, who may be any competent person acquainted with the facts.

The statement of facts relating to the disposition of the body shall be signed by the undertaker or person acting as such.

The medical certificate shall be made and signed by the physician, if any, last in attendance on the deceased, who shall specify the time in attendance, the time he last saw the deceased alive, and the hour of the day at which death occurred. And he shall further state the cause of death, so as to show the course of disease or sequence of causes resulting in the death, giving first the name of the disease causing death (primary cause), and the contributory (secondary) cause, if any, and the duration of each. Indefinite and unsatisfactory terms, denoting only symptoms of disease or conditions resulting from disease, will not be held sufficient for the issuance of a burial or removal permit; and any certificate containing only such terms, as defined by the State registrar, shall be returned to the physician or person making the medical certificate for correction and more definite statement. Causes of death which may be the result of either disease or violence shall be carefully defined; and if from violence, the means of injury shall be stated, and whether (probably) accidental, suicidal, or homicidal. And for deaths in hospitals, institutions, or of nonresidents, transients, or recent residents, the physician shall supply the information required under this head, if he is able to do so, and may state where, in his opinion, the disease was contracted.

SEC. 8. That in case of any death occurring without medical attendance it shall be the duty of the undertaker or other person to whose knowledge the death may come to notify the local registrar of such death, and when so notified the registrar shall, prior to the issuance of the permit, inform the local health officer and refer the case to him for immediate investigation and certification: *Provided*, That when the local health officer is not a physician, or when there is no such official, and in such cases only, the registrar is authorized to make the certificate and return from the statement of relatives or other persons having adequate knowledge of the facts: *Provided further*, That if the undertaker, or person acting as such, or the registrar has reason to believe that the death may have been due to unlawful act or neglect, the registrar shall then refer the

case to the coroner or other proper officer for his investigation and certification. And the coroner or other proper officer whose duty it is to hold an inquest on the body of any deceased person and to make the certificate of death required for a burial permit shall state in his certificate the name of the disease causing death, or, if from external causes, (1) the means of death; and (2) whether (probably) accidental, suicidal, or homicidal; and shall, in any case, furnish such information as may be required by the State registrar in order properly to classify the death.

SEC. 9. That the undertaker or person acting as undertaker shall file the certificate of death with the local registrar of the district in which the death occurred and obtain a burial, removal, or other permit prior to any disposition of the body. He shall obtain the required personal and statistical particulars from the person best qualified to supply them, over the signature and address of his informant. He shall then present the certificate of the attending physician, if any, or to the health officer or coroner, as directed by the local registrar, for the medical certificate of the cause of death and other particulars necessary to complete the record, as specified in sections 7 and 8. And he shall then state the facts required relative to the date and place of burial, other dispositions, or removal, over his signature and with his address, and present the complete certificate to the local registrar in order to obtain a permit for burial, removal, or other disposition of the body. The undertaker shall deliver the burial permit to the person in charge of the place of burial before interring or otherwise disposing of the body, or shall attach the removal and transit permit to the box containing the corpse when shipped by any transportation company; said permit to accompany the corpse to its destination, where if within the State of Florida, the removal permit shall be delivered to the person in charge of the place of burial.

Every person, firm, or corporation selling a casket shall keep a record showing the name of the purchaser, purchaser's post-office address, name of deceased, date of death, place of death, and color or race of deceased, which record shall be open to inspection of the State registrar at all times. On the first day of each month the person, firm, or corporation selling caskets shall report to the State registrar each sale for the preceding month on a blank provided for that purpose: *Provided, however,* That no person, firm, or corporation selling caskets to dealers or undertakers only shall be required to keep such record, nor shall such report be required from undertakers when they have direct charge of the disposition of a dead body.

Every person, firm, or corporation selling a casket at retail, and not having charge of the disposition of the body, shall inclose within the casket a notice furnished by the State registrar calling attention to the requirements of the law and a blank certificate of death.

SEC. 10. That if the interment, or other disposition of the body is to be made within the State, the wording of the burial or removal permit may be limited to a statement by the registrar, and over his signature, that a satisfactory certificate of death having been filed with him, as required by law, permission is granted to inter, remove, or dispose otherwise of the body, upon the form prescribed by the State registrar.

SEC. 11. That no person in charge of any premises on which interments or other dispositions are made shall inter or permit the interment or other disposition of any body unless it is accompanied by a burial, other disposition, or removal permit as herein provided. Any such person shall indorse upon the permit the date of interment or other disposition, over his signature, and shall return all permits so indorsed to the local registrar of his district within 10 days from the date of interment or other disposition. He shall keep a record of all bodies interred or otherwise disposed of on the premises under his charge, in each case stating the name and color or race of each deceased person, place of death, date of burial or disposal, and name and address of the undertaker, which record shall at all times be open to official inspection: *Provided,* That the undertaker or person acting as such, when burying a body in a cemetery or burial grounds having no person in charge, shall sign the burial or removal permit,

giving the date of burial, and shall write across the face of the permit the words "No person in charge," and file the burial or removal permit within 10 days with the registrar of the district in which the cemetery is located.

SEC. 12. That the birth of each and every child born in this State shall be registered as hereinafter provided.

SEC. 13. That within 10 days after the date of each birth there shall be filed with the local registrar of the district in which the birth occurred a certificate of such birth, as provided in section 14 of this act.

In each case where a physician, midwife, or person acting as midwife was in attendance upon the birth, it shall be the duty of such physician, midwife, or person acting as midwife to file in accordance herewith the certificate herein contemplated.

In each case where there was no physician, midwife, or person acting as midwife in attendance upon the birth, it shall be the duty of the father or mother of the child, the householder or owner of the premises where the birth occurred, or the manager or superintendent of the public or private institution where the death [birth?] occurred, each in the order named, within 10 days after the date of such birth, to report to the local registrar the fact of such birth. In such case and in case the physician, midwife, or person acting as midwife in attendance upon the birth is unable, by diligent inquiry, to obtain any item or items of information on the certificate of birth, it shall then be the duty of the local registrar to secure from the person so reporting, or from any other person having acquired knowledge, such information as will enable him to prepare the certificate of birth herein contemplated, and it shall be the duty of the person reporting the birth or who may be interrogated in relation thereto to answer correctly and to the best of his knowledge all questions put to him by the local registrar which may be calculated to elicit any information needed to make the complete record of the birth as contemplated; and it shall be the duty of the informant, as to any statement made in accordance herewith, to verify such statement by his signature.

SEC. 14. That the certificate of birth shall be on the standard form approved by the United States Bureau of the Census, all of the items of which are hereby declared necessary for the legal, social, and sanitary purposes subserved by registration records.

SEC. 15. That when any certificate of birth of a living child is presented without the statement of the given name, then the local registrar shall make out and deliver to the parents of the child a special blank for supplemental report of the given name of the child, which shall be filed out as directed, and returned to the local registrar as soon as the child shall have been named.

SEC. 16. That every physician, midwife, sexton, retail casket dealer, and undertaker shall, without delay, register his or her name, address, and occupation and color or race with the local registrar of the district in which he or she resides, or may hereafter establish a residence, and shall thereupon be supplied by the local registrar with a copy of this act, together with such instructions as may be prepared by the State registrar relative to its enforcement. Within 30 days after the close of each calendar year each local registrar shall make a return to the State registrar of all physicians, midwives, sextons, retail casket dealers, or undertakers who have registered in his district during the whole or any part of the preceding calendar year: *Provided*, That no fee or other compensation shall be charged by local registrars to physicians, midwives, sextons, retail casket dealers, or undertakers for registering their names under this section or making returns thereof to the State registrar.

SEC. 17. That all superintendents or managers, or other persons in charge of hospitals, almshouses, lying-in or other institutions, public or private, to which persons resort for treatment of diseases, confinement, or are committed by process of law shall make a record of all the personal and statistical particulars relative to the inmates in their institutions at the date of the approval of this act, which are required in the forms of the certificates provided for by this act, as directed by the State registrar; and thereafter such record shall be by them made for all future inmates at the time of

their admittance. And in case of persons admitted or committed for treatment or disease the physician in charge shall specify for entry in the record the nature of the disease, and where, in his opinion, it was contracted, or, if injured, the nature and cause thereof. The personal particulars and information required by this section shall be obtained from the individual himself if it is practicable to do so; and when they can not be so obtained, they shall be obtained in as complete a manner as possible from relatives, friends, or other persons acquainted with the facts.

SEC. 18. That the State registrar shall prepare, print and supply to all registrars all blanks and forms used in registering, recording and preserving the returns, or in otherwise carrying out the purposes of this act; and shall prepare and issue such detailed instructions as may be required to procure the uniform observance of its provisions and the maintenance of a perfect system of registration; and no other blanks shall be used than those supplied by the State registrar. He shall carefully examine the certificates received monthly from the local registrars, and if any such are incomplete or unsatisfactory he shall require such further information to be supplied as may be necessary to make the record complete and satisfactory. And all physicians, midwives, informants, or undertakers, and all other persons having knowledge of the facts, are hereby required to supply, upon a form provided by the State registrar or upon the original certificate, such information as they may possess regarding any birth or death, upon demand of the State registrar, in person, by mail or through the local registrar. The State registrar shall further arrange, bind and permanently preserve the certificates in a systematic manner, and shall prepare and maintain a comprehensive and continuous card index of all births and deaths registered; said index to be arranged alphabetically, in the case of deaths, by the names of the decedents, and in the case of births, by the names of fathers and mothers. He shall inform all registrars what diseases are to be considered infectious, contagious or communicable and dangerous to the public health, as decided by the State board of health, in order that when deaths occur from such diseases proper precautions may be taken to prevent their spread.

SEC. 19. That each local registrar shall supply blank forms to such persons as require them. Each local registrar shall carefully examine each certificate of birth or death when presented for record, in order to ascertain whether or not it has been made out in accordance with the provisions of this act and the instructions of the State registrar; and if any certificate of death is incomplete or unsatisfactory it shall be his duty to call attention to the defect in the return, and to withhold the burial, removal or other permit until such defects are corrected. All certificates, either of birth or of death, shall be written legibly in durable black ink, and no certificate shall be held to be complete and correct that does not supply all of the items of information called for therein, or satisfactorily account for their omission. If the certificate of death is properly executed and complete he shall then issue a burial, removal or other permit to the undertaker or the person acting as such: *Provided* That in case the death occurred from some disease which is held by the State board of health to be infectious, contagious or communicable and dangerous to the public health, no permit for the removal or other disposition of the body shall be issued by the registrar, except under such conditions as may be prescribed by the State board of health. If a certificate of birth is incomplete the local registrar shall immediately notify the informant, and require him or her to supply the missing items of information if they can be obtained. He shall number consecutively the certificates of birth and death, in two separate series, beginning with number one for the first birth and the first death in each calendar year, and sign his name as registrar in attest of the date of filing in his office. He shall also make a complete and accurate copy of each birth and each death certificate registered by him in a record book supplied by the State registrar, to be preserved as the local record, in such manner as directed by the State registrar. And he shall, on the tenth day of each month, transmit to the State registrar all original certificates registered by him for the preceding months. And if no births or no deaths occurred



in any month he shall, on the tenth day of the following month, report that fact to the State registrar, on a card provided for such purpose.

SEC. 20. That each local registrar shall be paid the sum of 25 cents for each birth certificate and each death certificate properly and completely made out and registered with him, and correctly recorded and promptly returned by him to the State registrar as required by this act. And in case no births or no deaths were registered during any month, the local registrar shall be entitled to be paid the sum of 25 cents for each report to that effect, but only if such report be made promptly as required by this act. All amounts payable to a local registrar under the provisions of this section shall be from the funds of the State board of health upon certification by the State registrar. And the State registrar shall annually certify to the treasurers of the several counties the number of births and deaths properly registered, with the names of the local registrars and the amounts due each at the rates fixed herein.

SEC. 21. That the State registrar shall, upon request, supply to any applicant a certified copy of the record of any birth or death registered under provisions of this act, for the making and certification of which he shall be entitled to a fee of 50 cents, to be paid by the applicant. And any copy of the record of a birth or death, when properly certified by the State registrar, shall be prima facie evidence in all courts and cases of the facts therein stated. For any search of the files and records when no certified copy is made, the State registrar shall be entitled to a fee of 50 cents for each hour or fractional part of an hour of time of search, said fee to be paid by the applicant. *Provided*, That the State board of health may waive any or all of the fees required under this section. And the State registrar shall keep a true and correct account of all fees by him received under these provisions, and turn the same over to the State treasurer.

SEC. 22. That any person, who for himself or as an officer, agent, or employee of any other person, or of any corporation or partnership, shall refuse or neglect to perform any of the duties required by this act, instructions and directions of the State registrar, or rules and regulations of the State board of health, or who shall violate any of the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$5 nor more than \$100.

SEC. 23. That each local registrar is hereby charged with the strict and thorough enforcement of the provisions of this act in his registration district, under the supervision and direction of the State registrar. And he shall make an immediate report to the State registrar of any violation of this law coming to his knowledge, by observation or upon complaint of any person or otherwise.

The State registrar is hereby charged with the thorough and efficient execution of the provisions of this act in every part of the State, and is hereby granted supervisory power over local registrars, deputy registrars, and subregistrars, to the end that all of its requirements shall be uniformly complied with. The State registrar, either personally or by an accredited representative, shall have authority to investigate cases of irregularity or violation of law, and all registrars shall aid him, upon request, in such investigations. When he shall deem it necessary he shall report cases of violations of any of the provisions of this act to the State's attorney, county solicitor, or county attorney or other prosecuting officer having charge of the prosecution of misdemeanors in the registration district in which such violation shall occur, with a statement of the facts and circumstances; and when any such case is reported to him by the State registrar the said prosecuting officer shall forthwith initiate and promptly follow up the necessary court proceedings against the person or corporation responsible for the alleged violation of law. And upon request of the State registrar the attorney general shall assist in the enforcement of the provisions of this act.

SEC. 24. That the State board of health shall have the power to adopt, promulgate, and enforce rules and regulations requiring the notification of all cases of sickness necessary for the preservation and protection of the public health, and for the collection of statistics of marriages and divorces.

## HAWAII.

### Sanitary Code—Definitions of Terms. (Reg. Bd. of H., Feb. 11, 1915.)

The regulations of the Territorial board of health of the Territory of Hawaii, adopted on February 11, 1915, called the Sanitary Code and made in conformity with act 63, session laws 1913, amending section 991, Revised Laws, as amended by act 42, session laws 1905, and act 132, session laws 1911.

SECTION 1. *Definition of terms.*—The term "board of health," "board," "this board," and "said board" whenever used in this code shall be held to mean the Territorial board of health of the Territory of Hawaii. The term "agent," "the agent," or "agents" whenever used in this code shall be held to mean an agent or agents of the Territorial board of health of the Territory of Hawaii. The words "person," "owner," "tenant," "lessee," "occupant," "contractor," "party," "manager," "board," and "officer" shall be, respectively, held to apply to and include, both jointly and severally, each and all owners, part owners, tenants, lessees, occupants, contractors, parties in interest, persons, managers, boards, officers, and corporations who may sustain the relations or may be in like position of any one or more thereof referred to in any section. The words "Territory," "this Territory," and "said Territory" whenever used herein shall be held to mean the Territory of Hawaii. The word "regulations" shall be held to include special regulations (which latter may be from time to time issued and may contain more detailed provisions than can be herein set forth). The word "permit" or "certificate" shall be construed to mean the permission or certification in writing of this board or its agents, issued according to laws, regulations, or the Sanitary Code. The word "light" or "lighted" shall be held to refer to natural external light, and all words and phrases herein defined shall also include their usual and natural meaning, as well as those herein especially given.

SEC. 2. The word "street" when used in this code shall be held to include avenues, public highways, sidewalks, gutters, and public or private alleys; and the words "public place" shall be held to include parks, piers, docks, and wharves, and water and open spaces thereto adjacent, and also public yards, grounds, and areas, and all open spaces between buildings and streets, and in view of such streets; and the word "ashes" shall be held to include cinders, coal, and everything that usually remains after fires; the word "rubbish" shall be held to include all the loose and decayed material and dirtlike substance that attends use or decay, or which accumulates from buildings, storing, or cleaning; the word "garbage" shall be held to include swill and every accumulation of both animal and vegetable matter, liquid or otherwise, that attends the preparation, decay, and dealing in or storage of meats, fish, fowls, birds, or vegetables; and the word "dirt" shall be held to mean natural soil, earth, and stone.

### Communicable Diseases—Quarantine—Disinfection—Burial. (Reg. Bd. of H., Feb. 11, 1915.)

SEC. 105. *Deaths from contagious or infectious disease.*—The body of a person who has died of cholera, diphtheria, plague, smallpox, scarlet fever, typhus fever, or yellow fever, shall be thoroughly disinfected and shall not be exposed to the view of any person, who is not necessarily engaged in the preparation of the same for burial. It shall be wrapped in a sheet saturated in a solution of bichloride of mercury 1-1000, and placed in a casket or coffin, which shall be sealed and which shall not be reopened.

An undertaker, or other person, having in his care or possession the body of any person who has died of cholera, diphtheria, plague, smallpox, scarlet fever, typhus fever, or yellow fever, shall give immediate notice to the board of health or its agent. Within 24 hours after the death of a person from any such contagious disease a private funeral shall be held at which none but the immediate adult relations and clergyman shall be present. The body shall be conveyed immediately to the place of burial or cremation.

SEC. 106. In any district where a death has occurred, or a patient is found to be suffering from any malignant, contagious, or infectious disease, the board of health, or its agents, shall have the right to summarily proceed to said district and cause all buildings, within a radius of not more than one mile from the place where said death occurred, or said patient was found, which they shall judge to be infected, or in an insanitary condition, and a menace to the public health, to be thoroughly disinfected by fumigation or other means, and all persons residing or working in any such buildings, and all personal property therein, to be thoroughly disinfected, to the satisfaction of the board of health, or its agents, before either persons or property shall be removed therefrom; and, that thereafter all such insanitary buildings and properties shall be vacated immediately, and no person shall be allowed to live or work therein, or to store any goods therein, until the same shall have been placed in a sanitary condition.

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SEC. 118. *Disposal of infected articles.*—No person shall sell, give away, or otherwise dispose of, within the Territory, any bedding, clothing, or other article or thing, which has been used by, or come in contact with, any person suffering from any contagious, infectious, or communicable disease, unless the same has been sterilized or disinfected under the supervision and direction of the proper agent of the board.

SEC. 119. *Release from quarantine.*—No person who has been quarantined for Asiatic cholera, diphtheria, leprosy, plague, scarlet fever, scarlatina, tetanus, typhus fever, variola, varioloid, yellow fever, or any other contagious or infectious disease, where on account of the surroundings and for the protection of the public health it has been necessary to establish a quarantine, shall be discharged therefrom except upon a written order of the board of health or its duly authorized agent.

#### **Mosquitoes—Prevention of the Breeding of. (Reg. Bd. of H., Feb. 11, 1915.)**

SEC. 114. No person shall have, keep, maintain, or permit within the Territory of Hawaii any cistern, tank, well, or other receptacle of similar character, containing water in which mosquito larvæ breed, or any pond, pool, spring, fountain, or other body of water of similar character, in which mosquito larvæ breed, unless the same shall be kept constantly treated with a solution of copper or other chemical agent or constantly covered with kerosene or petroleum oil or other substance, so as effectually to prevent the breeding of mosquito larvæ in the water therein or thereof; or constantly kept free of vegetable growth and other obstructions, and stocked with mosquito-destroying fish; or constantly so screened with wire netting of at least 18 wires to the inch each way, or otherwise so covered as to prevent the ingress and egress of mosquitoes to and from the water therein or thereof.

SEC. 115. No person shall have, keep, maintain or permit on any land or premises owned or controlled by him within the Territory of Hawaii any can, pitcher, bowl, bottle, tub, bucket, barrel, trough, urn, water-closet, water-closet tank, basin, sink, trap, or other receptacle of similar character, containing water in which mosquito larvæ breed, unless the same shall be completely emptied and dried or cleansed daily, or constantly protected as prescribed in section 114 hereof.

SEC. 116. No person shall have, keep, maintain or permit on any land or premises owned or controlled by him within the Territory of Hawaii any gutter or drain or roof

unless the same shall be kept thoroughly clean, and be so constructed or perforated that any water that may fall or be placed therein will immediately and completely drain off, or unless the same shall be constantly kept so screened, or otherwise covered, as to prevent the ingress or egress of mosquitoes to or from any water therein or thereon.

SEC. 117. No person shall have, keep, maintain or permit on any land or premises owned or controlled by him within the Territory of Hawaii any cesspool, privy vault, surface drain, street drain, catch basin, sewer, wash rack, excavation, or other place of similar character, containing liquid in which mosquito larvæ breed, unless the same shall be kept constantly treated, screened or covered as prescribed in section 114 hereof.

**Schools—Certificates of Health Required from Teachers and Pupils. (Reg. Bd. of H., Feb. 11, 1915.)**

SEC. 123. The teacher and scholars in all public and private schools throughout the Territory shall provide themselves, within fourteen days after the opening of the annual school term, with certificates signed by some duly licensed and competent physician, as to their freedom from any contagious, infectious or communicable disease. Such certificates shall be upon forms approved by the board. Physicians appointed by the board will visit each school in their district for the purpose of making the necessary examinations of those not provided with certificates.

Said certificates shall be renewed each year and for the protection of the public health a certificate shall be required as a condition of connection with a stay [sic] in school.

**Milk and Cream—Production, Care, and Sale. (Reg. Bd. of H., Feb. 11, 1915.)**

SEC. 66. *Dairies and dairy premises.*—For the purposes of this code a dairy or dairy premises shall be construed to mean and include any building, shed, land, or place used for the stalling, grazing, feeding, or milking of cattle for the purpose of producing milk or cream to be sold or supplied for profit, or any building or place used for the purpose of storing or depositing milk or cream when so produced.

SEC. 67. *Milking shed and stable.*—A milking shed or stable shall be construed to mean any shed, building, or yard which is used for the purpose of milking or milking and feeding cows.

SEC. 68. There shall be no living quarters in the milking shed or stable.

(a) No cattle, horses, or other domestic animals shall be kept within 50 feet of a milking shed or stable, and swine shall not be kept or allowed within 150 feet.

(b) The flooring and outside walls or curb shall be constructed of concrete or other approved impervious material.

The floors shall be free from faults and laid with proper slope for drainage to gutters, and said gutters shall be connected to a trapped catch basin and from such catch basin properly connected to a sewer or cesspool. The outside walls or curbing shall be at least 8 inches in height, with a concave surface on the inner side.

(c) Feed boxes shall be raised to sufficient height from the floor to permit of cleaning underneath, or, if made of impervious material, may be built on the floor.

(d) Milking sheds or stables shall be so constructed that if any part of said sheds or stables is used for the storage of hay or feed, such part or portion of said sheds or stables shall be tightly ceiled and partitioned to exclude dirt and dust.

There shall be no direct opening from any silo, grain pit, or feed room into the room in which cows are milked, unless the same is provided with a tight-fitting door.

SEC. 69. *Milk room.*—(a) The term milk room includes all buildings and rooms on dairy premises set apart for the purpose of depositing or storing milk or cream, whether for butter making, cheese making, drying, condensing, separating, straining, or cooling the same, or for washing or storing vessels and utensils used in their production,

preparation, or conveyance. On every dairy premises a milk room shall be provided, whether the milk is stored or not, and it must not be used for any other purposes than those above named, and must be kept scrupulously clean. The milk room shall be detached, and shall be erected on a dry and well-drained site at a safe distance from places where dust may be expected to frequently arise, and free from contaminating influences such as yards of dwellings, drains, fowl houses and roosts, stables, dog kennels, privies, dung heaps, pigsties, etc. Where the area of the premises will permit, the minimum distance shall not be less than 50 feet from such above-mentioned contaminating influences, and pigsties shall not be less than 150 feet distant.

(b) Floors shall be of concrete or other impervious material properly graded and trapped to a sewer or cesspool.

Walls shall be constructed of stone, concrete, or other approved material to a height of at least 3 feet, and the superstructure if of wood shall be made tight. All milk rooms shall be ceiled. Every milk room shall have sufficient area for light and ventilation, and the necessary measures must be taken to exclude flies and dust. All interior woodwork shall be surfaced and painted or color washed.

(c) All utensils or containers used for the collection, cooling, storing, and transportation of milk, shall, before being used, be thoroughly washed with pure hot water and soda or soap, and then sterilized by boiling or steaming.

SEC. 70. *Sanitary conduct.*—(a) Approaches, gateways, and exits to sheds and yards shall be properly graded and drained, and gutters cut to prevent accumulation of water or mud near the yard.

(b) After each milking, the milking shed shall be "wet swept," dung and litter removed to the dung bin, and flooring washed down.

Sweeping shall not be commenced until the milk has been removed.

The surface of yards must be kept clean, and the dung and litter removed to the dung bin daily.

SEC. 71. *Milk.*—No milk producer or milk vendor shall either himself or through his agents, servants, or employees, offer or expose for sale or sell or deliver for sale, use, or consumption within the Territory, any milk without having first obtained a permit from the board of health or its proper agent. One such permit shall be required for each place of production, general sale or storage of milk. Such permits shall be issued only in the names of the owners or dealers of the supply of milk in storage or for sale, and shall, for the purposes of this code, be conclusive evidence of such ownership.

SEC. 72. *Manner of making application for permit.*—Any person desiring such a permit shall present and file with the board of health or its proper agent an application which shall include the following:

- (1) The name, business, and residence addresses of the applicant.
- (2) The source or sources from which said applicant obtains or will obtain supplies of milk.
- (3) The number of cows in the possession of said applicant.
- (4) The daily average quantity of milk disposed of by said applicant.
- (5) The manner and character of such disposition.
- (6) The specific brand or name, if any, under which said milk is to be sold, exchanged, or distributed.

(7) A certificate from a Government veterinary surgeon showing the cows to be free from tuberculosis.

SEC. 73. *Issuing of permit.*—If upon examination the premises of the applicant for such permit is found to be in a fit and sanitary condition, and suitable for the purpose for which it is intended to be used, a permit as aforesaid will be issued.

Such permit shall not be sold, assigned, or transferred, and shall hold good for one year from date of issuance, unless sooner revoked.

SEC. 74. *Revocation of permit.*—Such permit shall at all times be subject to revocation by the said board of health at its discretion upon sufficient cause therefor being

shown; provided, however, that no permit shall be revoked until after a hearing given by the board of health in the matter of the revocation of such permit, after five days' notice in writing has been served on the owner of such permit, which notice shall state the ground of complaint against such owner, and the time and place of such hearing.

SEC. 75. *Permit number must be displayed.*—No person or persons, firm, or corporation shall sell or expose for sale or exchange or deliver or distribute milk from any wagon or vehicle, unless such wagon or vehicle shall have exposed on both sides thereof the permit number of the person or persons, firm, or corporation selling or offering or exposing for sale, or distributing or delivering or exchanging such milk. Such permit number shall be painted on said wagon or vehicle in Arabic numerals not less than 3 inches in height, and shall be placed on said wagon or vehicle under the direction of the proper agent of the board, and in case milk is sold from cans or vessels (not carried in any wagon or vehicle), then the permit number, as aforesaid shall be put in a conspicuous place on such can or vessel immediately below the opening thereof, so as to be plainly visible on casual inspection; or if such milk is sold or exposed or offered for sale, delivery, distribution, or exchange within a store or house, or on the sidewalk of any street, then such permit number shall also be constantly exposed, in some conspicuous manner, at the place where such milk is sold or kept, so as to be plainly visible.

SEC. 76. *Unlawful to sell adulterated milk.*—It shall be unlawful for any person or persons, firm, or corporation, by themselves or by their agents, servants, or employees, in the Territory, to render or manufacture, sell, offer for sale, or exchange, deliver, distribute, or have in his, their, or its possession with intent to sell, expose, or offer for sale or exchange, or distribute for human consumption, any impure, adulterated, unhealthful, or unwholesome milk, or any milk from which the cream has been skimmed or separated unless the same is specifically and openly stated to be "skimmed milk."

SEC. 77. *Adulteration defined.*—Milk shall be deemed to be impure, adulterated, and unwholesome within the meaning of this regulation under the following stated conditions, viz:

- (1) Milk containing less than  $8\frac{1}{2}$  per cent of milk solids, excluding milk fat.
- (2) Milk containing less than 3 per cent of milk fat.
- (3) Milk drawn from cows within 15 days before or 5 days after parturition.
- (4) Milk drawn from cows fed on any unhealthful or unwholesome feed.
- (5) Milk which contains more than 1,000,000 bacteria per cubic centimeter.
- (6) Milk from which any part of the cream has been removed.
- (7) Milk which has been diluted with water or with any other fluid, or into which any foreign substance whatever has been introduced.
- (8) Milk drawn from cows that are in a condition of filth or uncleanness, or are suffering from, or have recently been exposed to any contagious, infectious, or communicable disease.
- (9) Milk drawn by milkers who are in a condition of filth or uncleanness, or who are suffering from, or have recently been exposed to any contagious, infectious, or communicable disease.
- (10) Milk which is shown by analysis to contain any substance, or substances whatsoever, not natural or normal constituents of milk, or to have been deprived, either wholly or in part, of any constituent naturally or normally contained in milk.
- (11) Milk containing any preservative or antiseptic.
- (12) Milk which immediately upon being drawn from the cow shall not have been cooled to a temperature of 77° F., or lower, and kept at such temperature until delivered.

SEC. 78. *Condensed milk, buttermilk, and sour milk.*—Nothing herein shall be construed to prevent the use, sale, or manufacture of what is known as condensed milk,

evaporated milk, concentrated milk, or what is known as buttermilk, or what is known as sour milk, provided the same are made, compounded, or prepared from pure, clean, fresh, wholesome, and unadulterated milk within the meaning of this code, are in sound and wholesome condition, and contain no preservative or antiseptic whatever; and, provided also, that in the case of condensed, evaporated, or concentrated milk it should contain, all tolerances being allowed for, not less than 25.5 per cent of total milk solids, and not less than 7.8 per cent of milk fat.

Further, condensed, evaporated, or concentrated milk shall contain no added butter or butter oil incorporated with it at any stage of its manufacture.

Sec. 79. *Skimmed milk*.—Pure skimmed milk shall be permitted for sale or delivery, provided that the cans or vessels containing it shall be distinctly labeled "Skimmed milk" in letters  $1\frac{1}{2}$  inches high.

**Foodstuffs—Fruits and Vegetables—Protection. (Reg. Bd. of H., Feb. 11, 1915.)**

Sec. 53. *Fruits and vegetables*.—It shall be unlawful to expose for sale, or to sell from any stock in trade, within the Territory of Hawaii, any food or foodstuffs, for human consumption, of the names and descriptions hereinafter mentioned, unless such food or foodstuffs shall be protected from dust, dirt, and from contact of and contamination by flies and other insects, and from promiscuous handling and other contamination, in the manner or manners herein prescribed.

Sec. 54. The food or foodstuffs which shall be protected as herein prescribed shall comprise the following generally and specifically named and described articles, to wit:

(a) All dried fruits and vegetables, all fruits and vegetables which are not sold whole, and all compounds, essences, extracts, and substances derived in part or in whole from fruits, vegetables, nuts, and roots, or from one or more of such sources.

(b) All the fruits, vegetables, and products of land or sea called and known by the names and descriptions here following, viz: Apples, apricots, berries of all kinds, celery, cherries, dates, figs, grapes, mangoes, ohia (mountain apple), peaches, pears, plums, tomatoes, and other plants sold for food which do not have their surfaces removed before eating.

Sec. 55. All such food or foodstuffs shall be effectually protected from dust, dirt, and contact of and contamination by flies and other insects, and from promiscuous handling and other contamination, by means of a glass covering, or by wire-net screens of a mesh not less than 14 wires to the inch, or by fans so placed as may be sufficient to insure such protection.

Any such wire-net screen may be of any form suitable for its purpose, but it shall be fastened to a rigid framework and when in place must leave at least 3 inches of clear space between the net or its framework at any part and the exposed surface or surfaces of the food or foodstuffs which it protects. All such glass coverings and wire-net screens must be so constructed and placed as to properly and sufficiently protect all food or foodstuffs herein mentioned from dust and dirt, contact of and contamination by flies and other insects, and from promiscuous handling and other contamination.

Sec. 56. This regulation shall not apply to food or foodstuffs kept or exposed for sale in unbroken original packages unless the surfaces of their contents, when of the descriptions hereinbefore specified, are exposed to the outer air; nor to any articles of food kept in covered or sealed containers, whether to be sold in such containers or not, providing said articles are never exposed to the outer air, excepting while being handled in due course of business; nor to any food or foodstuffs kept in refrigerators, meat safes, or compartments protecting the same from dust and dirt, contact of and contamination by flies and other insects, and from promiscuous handling and other contamination.

Sec. 57. No food or foodstuffs hereinbefore mentioned shall be exposed for sale or displayed unless the bottom of the bottom or other receptacle containing such article is raised at least 2 feet above level of the floor or sidewalk.

SEC. 58. No person suffering or who has recently suffered or been in contact with any infectious or contagious disease shall engage or be employed in exposing for sale or selling any of the food or foodstuffs hereinbefore mentioned, when such engagement requires or permits the handling of the same.

SEC. 59. The provisions of this regulation shall apply to all markets, market stalls, stores, stands, cafés, restaurants, and other places, whether licensed or unlicensed, at which food, foodstuffs, confections, or provisions for human consumption are kept for sale, and to all licensed or unlicensed vehicles from which any food, foodstuffs, article of diet, or confection is sold or offered for sale.

SEC. 122. *Contamination or infection of foodstuffs.*—Human habitation of any nature whatever is prohibited within any room or rooms, or within any immediate adjoining and connecting room or rooms, in which is stored, kept, or offered for sale any foodstuffs for human consumption.

**Meat and Fish—Sale of—Protection. Meat and Fish Markets—Sanitary Regulation. Slaughterhouses. (Reg. Bd. of H., Feb. 11, 1915.)**

SEC. 3. The word "meat" whenever herein used includes every part of any land animal and eggs (whether mixed or not with any other substance); and the word "fish" includes every part of any animal that lives in water, or the flesh of which is not meat; and the word "vegetable" includes every article of human consumption as food which (not being meat, or fish, or milk), is held or offered or intended for sale or consumption as food for human beings, at any place in said Territory; and all fish and meat found therein shall be deemed to be therein and held for such sales or consumption as such food, unless the contrary be distinctly proved.

SEC. 60. *Meat, game, fish, etc.*—It shall be unlawful to expose for sale or to sell from any stock in trade within the Territory of Hawaii any game, poultry meat, butcher's meat, fish or sea food unless such foodstuffs shall be protected from dust, dirt, and from contact of and contamination by flies and other insects, and from promiscuous handling and other contamination.

SEC. 61. All meat markets, butcher stalls, fish markets, shops, or stands, or other places of business for the sale of game meat, poultry meat, butcher's meat, fish or sea food in the Territory shall be provided with tight hardwood, tile, or cement floors, with running water, and with sewer connections, if sewer is accessible.

All such meat markets, butcher stalls, fish markets, shops, stands, and other places of business, and all tools, implements, and fixtures used or employed therein shall be kept clean and in a sanitary condition, and all employees therein when handling the foodstuffs hereinbefore described shall wear clean linen, cotton, or rubber aprons, which shall be kept clean and in a sanitary condition.

No person suffering, or who has recently suffered from, or been in contact with any infectious or contagious disease shall engage, or be employed, in exposing for sale or selling any of the food or foodstuffs hereinbefore mentioned, when such engagement requires or permits the handling of the same.

All delivery wagons used for the delivery of game meat, poultry meat, butcher's meat, fish or sea food in the Territory of Hawaii shall be covered so as to exclude flies, dust, and other contamination, and shall be kept clean and in a sanitary condition.

No game, poultry meat, butcher's meat, fish or sea food shall be offered for sale or sold or delivered in the streets, roads, avenues, or alleys of the Territory, except the same shall be protected from dust, flies, or other insects and other contamination.

No game, poultry meat, butcher's meat, fish or sea food shall be wrapped in any newspaper, or part thereof, nor in wrapping paper that is soiled or has been used for any other purpose, but shall be wrapped in fresh, clean wrapping paper.



No refuse, scraps, bones, filth, rancid fat of decaying flesh shall be kept in any ice box in any meat market, butcher stall, fish market, shop, or stand with any game meat, poultry meat, butcher's meat, fish, or sea food.

Live poultry or fowl shall not be kept in the same room or compartment in which game meat, poultry meat, butcher's meat, fish, or sea food is kept or offered for sale; nor shall live poultry or fowl be kept in any room or compartment adjoining such room or compartment, if the conditions are such that the room or compartment in which the live poultry or fowl is kept, ventilates, or is liable to ventilate, into said other room or compartment so that the odors from such live poultry or fowl and their inclosures may contaminate such food or foodstuffs.

SEC. 62. The provisions of this regulation shall apply to all markets, market stalls, stores, stands, and other places, whether licensed or unlicensed, at which game meat, poultry meat, butcher's meat, fish, or sea food, for human consumption, is kept for sale, and to all licensed or unlicensed vehicles from which any of such articles are sold or offered for sale.

SEC. 63. *Fish*.—The sale of fish, and all edible products of the sea, is prohibited in the Territory except in such places as may be designated from time to time by the board of health where fish and edible products of the sea may be exposed for sale under the supervision of inspectors, approved by the board of health.

SEC. 64. Fish left unsold at 6 p. m. on the evening of any day shall be inspected and if found in proper condition may go to cold storage; and on again being offered for sale shall be labeled as "iced fish."

SEC. 65. It shall be unlawful to expose or offer for sale or to sell any "iced fish" that has been exposed or offered for sale on any previous occasion. Any "iced fish" which has been exposed for sale during the day shall not be kept for sale on the following day. The sale of any fish that has been iced or in cold storage which has thawed out and has been reiced or placed again in cold storage is strictly prohibited.

All "iced fish" exposed or offered for sale at any market, store, or fixed place of sale shall be kept and sold separate and apart from fresh fish, and there shall be conspicuously displayed on the slab or other place upon which "iced fish" are exposed or kept for sale a signboard at least 12 inches in length and 6 inches in width attached to a stand at least 3 inches in height, having on each side of said signboard inscribed the words "iced fish" plainly marked on a white background in black letters at least 2 inches in height.

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SEC. 124. Where any river, stream, lake, pond, or other body of fresh or salt water is polluted by sewage or other deleterious matters the taking of fish, shellfish, or any other product of the water for the purpose of using or disposing of same for human consumption is hereby prohibited.

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SEC. 80. *Abattoirs*.—No slaughterhouse will be allowed in the Territory in any location not first approved by the board of health or its agent.

SEC. 81. Slaughterhouses or buildings wherein cattle, sheep, or swine are killed or dressed shall be kept at all times in a clean and sanitary condition, and all offal, blood, fat, manure, or other unwholesome or offensive refuse shall be removed therefrom at least every 24 hours if used continuously, or if used occasionally within 24 hours after using; the floor of such building, place, or premises shall have an impervious floor which can be flushed and washed clean. No blood pit, dung pit, or offal pit shall be allowed in any room or building. Doors and windows shall be screened to exclude flies; the side walls, to the height of at least 6 feet, shall be of concrete or other impermeable material. All floors shall be properly sloped to a well-trapped outlet having a direct communication with a sewer or cesspool. All yards, apartments, and pens connected with a slaughterhouse shall be paved with some impervious material properly graded and drained. Every slaughterhouse shall be supplied with an

adequate supply of pure water, and such an arrangement of hose and pipes as will enable the walls, floors, yard, and appurtenances to be efficiently washed.

SEC. 82. No pigs or swine shall be permanently kept on the premises of any slaughterhouse, or within 150 feet thereof.

SEC. 83. No dressed meat of any animal, or any part thereof, shall be conveyed or taken through any street, avenue, lane, road, or public place, unless the same shall be thoroughly covered with clean canvas, burlap, or other material so that the said meat shall be protected from dust, dirt, flies, and other contamination.

**Vegetables—Growing and Sale of. (Reg. Bd. of H., Feb. 11, 1915.)**

SEC. 120. *Growing and sale of vegetables.*—No vegetables shall be grown in the Territory of Hawaii by any person, firm or corporation, for sale for human consumption until a written permit for such purpose shall have been granted to such person, firm or corporation, by the Territorial board of health or its proper agent.

SEC. 121. It shall be unlawful to use human excreta, whether in liquid or solid form, as a fertilizer where vegetables are grown within the Territory of Hawaii for human consumption.

**Bakeries—Sanitary Regulation—Vehicles and Receptacles. (Reg. Bd. of H., Feb. 11, 1915.)**

SEC. 51. The provisions of this regulation shall extend and apply to every room or building occupied as a biscuit, bread, pretzel, pie, cracker, or cake bakery; or for the purpose of making candy, pop corn, ice cream cones, ice cream, or confectionery of any kind; also to any place where any of the articles above mentioned are made, kept for sale, sold or stored, and shall include bake rooms of hotels and restaurants. The term "bake shop," wherever mentioned in this regulation, shall be held to mean and apply to any such establishment mentioned above.

SEC. 52. Every bake shop shall at all times be kept in a clean state and free from effluvia arising from any drain, privy, water-closet, or other nuisance. The troughs and all the utensils used in the making of bread and pastry shall be kept scrupulously clean and must be capable of being moved about for the purpose of cleaning the floor. All floors shall be constructed of impervious material. No person suffering, or who has recently suffered from, or been in contact with any infectious, contagious, or communicable disease shall be permitted to enter any bake shop or take part in the manufacture or sale on the premises, or in the delivery of bread, biscuit, candy, or confectionery. All vehicles from which any biscuit, bread, candy, or other products are delivered or sold shall be kept in a clean and sanitary condition; and all vehicles, boxes, baskets, or other receptacles in which any of the aforesaid products are conveyed through the streets shall be closely covered in a way and manner that will protect them from any pollution whatever. All drivers and other persons engaged in handling or delivering any of the articles mentioned above shall be cleanly in person and attired in a cleanly manner. No person so employed shall carry any such articles in his hands or on his arm unless the same are wrapped in paper or other material, so as to prevent their contact with dust or other contamination.

**Restaurants—Sanitary Regulation. (Reg. Bd. of H., Feb. 11, 1915.)**

SEC. 50. The word "restaurant" as used in this code shall be held to include all hotels and eating houses of every description.

All restaurants shall provide, in places where foodstuffs are kept, prepared, cooked, or served to customers, full protection from dust, dirt, flies, and vermin, by glass cases, wire screens, fans, and other modern and approved methods, and shall cause the abatement and destruction of vermin and flies wherever found.

All restaurants shall be equipped with covered metallic cans for retaining and keeping their garbage and waste in a sanitary manner, which shall be kept in such

place and manner as will preclude nuisances and contamination of the kitchen and such rooms from odors and from all possibilities therefrom.

Restaurants, kitchens, and other rooms connected therewith shall be provided with ample facilities for washing and cleaning all eating and cooking utensils and with a proper supply of hot and cold water; and no eating or drinking utensil soiled by use shall be used in the serving of food or foodstuffs in any manner without first being properly cleaned.

All restaurants and their kitchens must be kept clean and wholesome at all times, and precautions taken to prevent nuisances from the dissemination of odors and smells arising from the creating, keeping, or handling of garbage, and all odors, vapors, smells, and smoke from cooking must be disposed of and, if necessary, by air shafts, fans, forced air, or other modern and approved methods.

All rooms used for the cooking and preparing of foodstuffs shall have floors and side walls so constructed as to exclude vermin, rats, mice, and be kept in a state of good repair.

**Privies and Cesspools—Location, Construction, and Removal of Contents.**  
(Reg. Bd. of H., Feb. 11, 1915.)

**SEC. 13. *Regarding privy vaults and cesspools.***—No privy vault, sink, or cesspool shall hereafter be located or constructed within 50 feet of any stream, lake, pond, well, or spring of water, nor within 2 feet of the line of any lot, nor placed in such a position that it is not easily accessible for emptying and cleaning. No privy vault shall extend farther beneath the privy covering it than to meet a perpendicular line drawn from the front edge of the seats in said privy. All privies shall be made fly-proof.

The word "cesspool" in this code shall be construed to mean and include all excavations for the reception of waste matter into which waste water flows. All cesspools shall be properly sealed.

The words "privy vault" in this code shall be construed to mean and include all excavations for the reception of waste matter into which no waste water flows.

**SEC. 14.** When deemed necessary by the board of health or its agents, the sides and bottom of any privy vault, sink, or cesspool shall be made either wholly or in part water tight, so as to prevent any saturation of the ground about the said vault, sink, or cesspool, and shall be properly vented.

**SEC. 15.** A cesspool or other sanitary means of disposing of waste shall be completed before any building hereafter to be constructed shall be occupied. No structure or cover shall be put upon or over any privy vault, sink, or cesspool until it has been inspected by the proper agent of the board of health and approved as meeting the requirements of these regulations and of public health.

**SEC. 16.** Any privy vault, sink, or cesspool already constructed which has become a nuisance or in any way dangerous to life or detrimental to health shall be removed, reconstructed, altered, or disinfected to meet the requirements of these regulations and of public health as directed by the board of health or its agent.

**SEC. 17.** No privy vault or cesspool shall be excavated or maintained within 10 feet from any dwelling house or inhabited building, or cook house or place where cooking is done.

**SEC. 18.** Within 30 days after service of a written notice upon the owner or owners, occupants, or persons in possession of any land within the limits of the public sewer system, directing said owner or owners to connect with the public sewer, the use of privy vault and cesspools shall be entirely discontinued upon such lands; all cesspools shall be emptied, disinfected, and filled in accordance with the requirements of these regulations and of the public health; and all privy vaults shall be removed except in so far as permission may be granted by the board of health or its agents to transform the same into approved water-closets connected with the sewer system.

**SEC. 19.** No cesspool or privy vault shall be built or maintained in any location except the same shall have a substantial water-tight curb which shall retain the earth

without and the contents of the cesspool or vault within and shall be provided with a substantial water-tight cover properly sealed.

SEC. 20. All cesspools and privy vaults shall be properly vented to the satisfaction of the board of health or its agents.

SEC. 21. All cesspools or privy vaults when abandoned and the use thereof discontinued shall be at once entirely emptied of liquid and solid contents and shall be disinfected and filled with earth, sand, ashes, or other clean materials to the satisfaction of the board of health or its agents.

**Plumbing—Connections with Sewers. (Reg. Bd. of H., Feb. 11, 1915.)**

SEC. 22. *Sewer connection required.*—In the construction, reconstruction, or alteration of any building of any description in which plumbing fixtures are to be placed, all plumbing work shall be connected with the public sewer, where such sewer is accessible, and where there is no sewer accessible with a suitable and properly constructed cesspool.

SEC. 23. *House sewer.*—The term "house sewer" is herein used to designate that part of the drain between the sewer or cesspool and to within 5 feet of the building connected or to be connected with the sewer or cesspool. House sewers shall not be less than 4 inches in diameter and shall be of cast-iron pipe or salt-glazed vitrified pipe and shall be laid to a true grade, at least 1 foot under ground. Changes in direction shall be made by Y branches and one-sixth, one-eighth, or one-sixteenth bends. Salt-glazed vitrified pipe will not be allowed under any building. If salt-glazed vitrified pipe is used in the construction of any sewer it shall have a fall of at least one-quarter of an inch to the foot, the joints shall be made of mortar composed of equal parts of Portland or other good standard cement and clean-screened sand, and said joints shall be covered with cloth in laying. A disk entirely filling the house sewer pipe shall be kept in the pipe and drawn forward as each length is laid. When salt-glazed vitrified pipe is used in wet ground or water, the same shall be concreted entirely around the pipe up to a thickness of at least 6 inches. When cast-iron pipe is used all joints shall be packed with picked oakum and run with molten lead and shall be well calked and shall have a fall of not less than three-sixteenths of an inch to the foot. In the construction of any house sewer no intermediate section of salt-glazed vitrified stone pipe shall be used between sections of cast-iron pipe, nor shall any cast-iron sections be used between sections of salt-glazed vitrified stone pipe. The free flow of air shall not be obstructed in any house sewer when connected with any cesspool or sewer.

SEC. 24. *House drains.*—The term "house drain" is herein used to designate that part of the drain under the first floor of the building or structure and extending 5 feet outside of the walls thereof. All house drains shall be of cast-iron or galvanized wrought-iron pipe not less than 4 inches in diameter, and shall have a fall of not less than three-sixteenths of an inch to the foot. In buildings or structures of over three stories in height the grade of cast-iron pipe commercially known as "extra heavy," or galvanized wrought iron, shall be used for the house drain soil waste; all vent pipes and fittings shall be of the same grade. All house drains shall be securely ironed to walls or laid in trenches of uniform grade or suspended to floor timbers by strong iron hangers. In no case shall double hubs be allowed, and all hubs shall be laid opposite to the fall of the sewer. Brass clean-out connections located in accessible places shall be put in all house drains at the foot of each vertical riser and at every change of direction of the drain.

SEC. 25. *Soil pipes.*—The term "soil pipe" is herein used to designate the vertical pipe to which one or more water-closets or other fixtures are connected. All soil pipes shall be of cast-iron or galvanized wrought-iron pipe not less than 4 inches in diameter, and if of cast-iron, in buildings of over three stories, shall be of extra heavy grade. All soil pipes shall be continued unobstructed and undiminished in size not less than 1

foot nor more than 14 inches above the roof of the building. Higher terminations, required in exceptional cases, shall only be made by special permission from the proper agent of the board of health. All soil pipes shall be run on as straight a line as possible, and shall not terminate within 10 feet of any window or opening. If galvanized wrought-iron pipe is used, all the fittings must be recessed and the pipe reamed to full bore.

In the construction of soil pipes, all cast-iron pipes and fittings shall be covered inside and outside with a coating of asphaltum. Changes in direction of soil pipes shall be made by Y branches and one-sixth, one-eighth, or one-sixteenth bends; and in no case shall double hubs be used except for vent fittings where the fittings are to be inverted. Sanitary T's may be used in vertical runs. Tin pipes, and pipes made from sheet metal, shall not be used in the construction of soil pipes. No 4 by 2 or other heel outlet fitting shall be allowed to act as a waste or vent pipe through the heel opening, except on vertical lines. The use of cements of any description to repair splits or breaks in cast-iron pipes or fittings shall not be allowed.

Not more than the following number of water-closets may be connected on the various sizes of soil pipes designated below:

- 12 water-closets on 4-inch soil or branch pipe.
- 25 water-closets on 5-inch soil or branch pipe.
- 60 water-closets on 6-inch soil or branch pipe.

No soil or drain pipe shall be more than 6 inches in diameter, and when a greater number than 60 water-closets are in one building, two soil or drain pipes must be run to the main sewer in the street, and shall be continued up to and through the roof full size; and where vertical lines of soil pipes extend to water-closets on the third floor the same must extend full size through the roof.

SEC. 26. *Waste pipes.*—The term "waste pipe" is herein used to designate any pipe leading from any fixture to a soil pipe or house drain and receiving the discharge from any fixture. All waste pipes, except as herein provided, shall be of iron. Branch waste pipes may be constructed of lead or iron: *Provided, however,* That if lead is used it shall be only as a branch to connect with an iron pipe and shall not exceed 3 feet in length. The size of waste pipes shall vary according to the fixtures they are to serve, and in no event shall be less than the following:

	Inches.
Closets.....	4
Slop sinks.....	3
Floor drains.....	2
Baths.....	1½
Sinks.....	1½
Wash trays.....	1½
Urinals.....	1½
Bar wastes.....	1½
Basins.....	1½

All waste pipes from grease traps shall be in size not less than the outlets of same. Waste pipes from refrigerators, or other receptacles in which provisions are kept, shall not connect directly with the drain, soil, or vent pipes, or discharge upon the ground beneath the building, but shall be trapped and the discharge therefrom allowed to drip into an open fixture in daily use, or be conveyed to the ground at least 3 feet away from the building.

No continuous wastes shall exceed 16 feet in length, and the traps for same shall not be less than 1½ inches. Continuous wastes on urinals shall not be allowed.

SEC. 27. *Traps.*—All fixtures shall be separately and independently trapped as near the opening thereof as practicable.

All traps shall have a water seal of not less than  $1\frac{1}{2}$  inches in depth, and shall be set true to water seal. The size of every trap shall be the same as the waste pipe it serves.

No grease trap shall in any case be placed under a building or structure. The capacity of grease traps shall be as follows: For restaurants, hotels, tenement and boarding houses, not less than 30 gallons. All grease traps shall be constructed subject to the approval of the proper agent of the board of health. No bell traps shall be used in any case.

Antisiphon traps shall only be used where the proper agent of the board of health finds that it is impracticable to use any other. All traps shall be of lead or brass with the exception of traps in the ground or in concrete which shall be of cast iron coated with asphaltum.

All traps with internal partitions, or any mechanism forming a seal, are strictly prohibited.

SEC. 28. *Vents*.—In every building or structure where there is a water-closet there shall be at least one 4-inch cast-iron vent pipe running from the house drain unobstructed and undiminished in size to a point not less than 1 foot above the roof of the building or structure or fire wall, or if such building or structure has a fire wall within 10 feet of said vent, then not less than 1 foot above said fire wall. The terminal of all vents shall be at least 10 feet from any window or opening.

All traps within any building, or within 5 feet of any building, shall be vented by special air pipes of lead or iron, but in no case shall a vent pipe end in a chimney or earthenware flue. No lead pipe shall be used for any vent except as a branch to connect with an iron pipe, and then only for a distance not to exceed 2 feet. Vent pipes may converge into one pipe at any point not less than 3 feet 6 inches above the floor line of the building or structure. All vent pipes shall be extended above the roof of the building or structure in the same manner as the 4-inch cast-iron vent pipe herein referred to. All vent branches must be taken from the top of waste or crown of trap.

The size of vent pipes for each fixture shall not be less than the following:

	Inches.
Basins.....	$1\frac{1}{2}$
Sinks.....	$1\frac{1}{2}$
Baths.....	$1\frac{1}{2}$
Wash trays.....	$1\frac{1}{2}$
Urinals.....	$1\frac{1}{2}$
Bar sinks.....	$1\frac{1}{2}$
Bidet.....	$1\frac{1}{2}$
Sitz baths.....	$1\frac{1}{2}$
Water-closets.....	2
Slop sinks.....	2
Dirt catchers.....	2
Floor drains with 2-inch traps.....	$1\frac{1}{2}$
Floor drains with 3-inch or 4-inch trap.....	2

All vent pipes shall have a grade toward the trap, and shall not be carried more than 12 feet out of a vertical line to enter another pipe without increasing one size larger.

When two water-closets are on a 4-inch vent stack, such stack may vent both closets, providing it is within 24 inches of the traps of such closets on the line of the pipe.

Whenever fixtures are grouped the vents therefor shall not be less than the following:

One 1-inch vent on one  $1\frac{1}{4}$ -inch pipe.

Three  $1\frac{1}{4}$ -inch vents on one  $1\frac{1}{2}$ -inch pipe.

Two  $1\frac{1}{2}$ -inch vents on one  $1\frac{1}{2}$ -inch pipe.

Six  $1\frac{1}{4}$ -inch, or five  $1\frac{1}{2}$ -inch, or three 2-inch vents on one 2-inch pipe.

Ten  $1\frac{1}{4}$ -inch, or seven  $1\frac{1}{2}$ -inch, or four 2-inch vents on one  $2\frac{1}{2}$ -inch pipe.

Thirteen 1½, or ten 1½-inch, or six 2-inch vents on one 3-inch pipe.

Eighteen 1½-inch, or thirteen 1½-inch, or eight 2-inch vents on one 3½-inch pipe.

Twenty-four 1½-inch, or sixteen 1½-inch, or eleven 2-inch vents on one 4-inch pipe.

SEC. 29. *Joints and connections.*—All joints of cast-iron pipe shall be packed with picked oakum and run with molten lead and shall be well calked. Joints and connections in lead pipe shall be made with wiped joints. Connections of lead with cast-iron pipe shall be made with brass ferrule and wiped joints; connections of lead and wrought-iron pipe shall be made with brass soldering nipple and wiped joints, screwed in. Connections of brass and wrought-iron pipe shall be made with a brass screw collar.

SEC. 30. *Water-closets.*—The use of pan, hopper, or plunger closets is prohibited. No water-closet, slop sink, or urinal shall be placed or maintained in any room in which there is not a window opening direct to the external atmosphere, but in lieu thereof such room may be ventilated by means of a shaft or air duct, at least 8 inches in diameter, or of equal area, and as near the ceiling as possible, and carried thence through the roof. The stopcocks shall be placed on all supply pipes to water-closet tanks and not less than 1½ inches above the floor.

In factories, workshops, tenements, and rooming houses there shall be provided one water-closet for each 10 persons, or fraction thereof, of each sex.

Range closets are strictly prohibited.

Toilets shall be separate in all cases. All residences shall be provided with at least one water-closet and one sink.

All water-closets, earthen or iron, having traps above the floor, using lead connections, shall be fastened to the floor with a cast brass flange, not less than one-eighth of an inch thick. Said flange to be properly soldered to lead pipe and made perfectly tight with red lead putty connections. And when iron connections to water-closet traps are used they shall be with cast or galvanized wrought-iron pipe with cast brass flanges not less than one-eighth of an inch thick, and the flanges either calked or screwed on.

Rubber washers shall not be used.

SEC. 31. *Urinals.*—All urinals, or groups of urinals, shall be supplied with water. The floor and sides around all urinals shall be covered with noncorrosive and non-absorbing material.

SEC. 32. *Safe wastes.*—No safe wastes shall be used in conjunction with urinals. Safe wastes from any fixture shall not be connected, directly or indirectly, with any sewer, house drain, soil, or waste pipe.

SEC. 33. *Clean-outs.*—All clean-outs shall be in accessible places, and where cement floors are laid they shall be brought up flush with the floor, and shall not be used as a floor drain. They shall be of brass; combinations of brass and iron not allowed.

SEC. 34. *Remodeling or removals.*—Whenever a building is moved or remodeled the plumbing work therein must conform in all respects to the provisions of this code, and where old fixtures are removed from any building and new fixtures substituted, or where old fixtures are changed, such work and the drainage and ventilation must conform to the provisions of this code. When a building is moved the plumbing in the building may remain if, after having been tested, the same is found to be water-tight and free from all defects. New sewers for old houses shall be deemed new work.

SEC. 35. *Sinks or wash trays.*—No sinks or wash trays of wood shall be constructed, installed, or used except in hotel or restaurant kitchens or buildings used for industrial purposes: *Provided*, That when so constructed, installed, or used in hotel or restaurant kitchens or buildings used for industrial purposes, such sinks and wash trays shall be built of 2-inch sugar pine and as directed by the agent of the board of health.

SEC. 36. *Fixtures.*—No open end of any waste pipe or water-closet shall be placed less than 2 feet above high tide, as established by the datum used in Government

work. No woodwork of any description shall be placed around any fixture, **except** for capping frame.

SEC. 37. *Exposed plumbing.*—All pipes and fixtures shall be left exposed to view as much as possible.

SEC. 38. *Exemptions.*—The foregoing sections relating to plumbing shall **only** apply to such places as are thickly inhabited or where the means and facilities are reasonably accessible.

**Deaths—Registration of. Burial. (Reg. Bd. of H., Feb. 11, 1915.)**

SEC. 100. All deaths occurring in the Territory of Hawaii must be reported to the registrar of deaths, with the name, sex, and age of the deceased, whether married or single, the nationality, place of birth, place of death, date of death, duration of last illness, cause of death, names of the consulting and attending physicians, whether deceased was a resident or nonresident, and the cemetery where burial is intended. No embalming or interment will be allowed on the islands of Oahu, Hawaii, Maui, Molokai, or Kauai without permission of an agent of the board of health, and within the district of Honolulu, island of Oahu, and the district of South Hilo, island of Hawaii, such permission must be in writing.

SEC. 101. No permit will be granted for an interment within the city limits of Honolulu, except to the owners of burial plots, and not to such owners except in such places and upon such conditions as the board of health upon investigation shall find will not jeopardize the public health.

The city limits above referred to include the district within the following boundaries: Beginning at the seashore at the south point of the land of Halawa, thence following the easy boundary of Halawa to the summit of the Koolau Mountains, thence easterly along the summit of said mountains to Palolo Valley, thence southerly following the line of the east ridge of Palolo Valley to the seashore at the east side of Diamond Head, thence following the seashore in a westerly direction to the point of beginning.

This section shall not apply to the burial of ashes of bodies which have been subjected to cremation.

SEC. 102. No interment of a corpse or dead body shall be made at a depth less than 6 feet below the surface of the ground, nor within 100 feet of any spring, well, lake, pond, or stream of water, nor within 2 feet of the line of any lot, nor in any place except where the board upon investigation shall find that such interment will not jeopardize the public health.

SEC. 103. No corpse, nor the remains of any dead human body shall be exposed, disturbed, or removed from its place of burial, nor shall the receptacle, container, or coffin holding such remains or corpse be opened, removed, or disturbed after due interment, except according to the terms of a permit granted therefor by the registrar general. A fee of \$2.50 will be charged for issuing such permit.

After any such removal or disturbance, the grave shall be filled at once and restored to its former condition.

SEC. 104. No corpse, or remains of any dead human body, whether attended by a licensed physician or unattended before death, shall be removed from its place of death without permission from an agent of the board of health.

**Tenements and Lodging Houses—Location, Construction, and Sanitary Regulation. (Reg. Bd. of H., Feb. 11, 1915.)**

SEC. 39. *Sanitary conduct and restrictions.*—It shall not be lawful for any person to locate, build, construct, maintain, or keep a tenement house in any locality within the Territory of Hawaii in which two-thirds of the buildings located as a whole or in part within 500 feet of such tenement house are devoted or adapted to exclusive residence purposes: *Provided, however,* That this section shall not be applicable in any locality where the owners of a majority of the lots which are located as a whole or in



part within 500 feet of such tenement house consent in writing to such location of such tenement house.

SEC. 40. No person shall construct or erect, or cause to be constructed or erected, in the Territory any building or structure designed or intended to be used for a lodging or tenement house, or shall keep or maintain any lodging house or tenement house, within 500 feet of any premises upon which is maintained any public school, orphanage, reform or industrial school, or upon which is maintained any sectarian or private school at which not less than 25 pupils are in attendance.

SEC. 41. No room of any tenement shall afford less than 400 cubic feet of air to each person over 12 years of age, and 200 cubic feet of air for each child under 12 years of age, occupying the room. There shall be no cooking done on the porches. The floors of all outside water-closets and urinals, and 8 inches high on all walls of same, shall be of concrete. No wall paper shall be put on the walls of a tenement house, unless the former wall paper shall have been removed and the walls thoroughly cleaned, nor shall cloth lining be used on ceiling or walls.

SEC. 42. Every tenement house and every part thereof shall be kept clean and free from any accumulation of dirt, filth, and garbage or other matter, in or on the same, or in the yards, courts, passages, areas, or alleys connected with or belonging to the same. The owner of every tenement house, or part thereof, shall thoroughly cleanse all the rooms, passages, stairs, floors, windows, doors, walls, ceilings, privies, water-closets, cesspools, drains, halls, cellars, roofs, and all other parts of the said tenement house, or parts thereof, or part of the house of which he is the owner, to the satisfaction of the board of health or its agents, and shall keep the said parts of the said tenement house in a cleanly condition at all times.

SEC. 43. No owner, agent of owner, lessee, or person in charge of, or in control of, any tenement or lodging house, shall permit any person or persons to occupy any room of any tenement or lodging house, and no person or persons shall occupy any room of any tenement or lodging house, in which the air space afforded is less than 400 cubic feet of air to each person over 12 years of age, and 200 cubic feet of air for each child under 12 years of age, occupying the room.

SEC. 44. *Receptacles and garbage.*—The owner of every tenement house shall provide and maintain therefor, suitable covered, water-tight metallic receptacles for ashes, rubbish, garbage, refuse, and other matter. No person shall place ashes, rubbish, garbage, refuse, or other like matter, in the yards, open areas, or alleys connected with or appurtenant to any tenement house, except in such receptacle as described above.

SEC. 45. Every apartment or room containing a water-closet or urinal shall be properly ventilated by means of a window opening directly into the open air.

SEC. 46. No horse, cow, calf, swine, sheep, goat, or chickens shall be kept in a tenement house, or on the same lot or premises thereof, and no tenement house or the lot or premises thereof shall be used for the storing or handling of old rags, bags, bottles, etc., nor for the storing or handling of vegetables designed for human consumption.

SEC. 47. In any tenement house in which the owner thereof does not reside, there shall be a janitor, housekeeper, or other responsible person who shall reside in said house and have charge of the same, if the board of health or its agent shall so require.

SEC. 48. In tenement houses, or lodging houses, no room in the basement or cellar shall be constructed, altered, converted into or occupied for living purposes.

SEC. 49. Whenever it shall be certified by an inspector or agent of the board of health that a tenement house, or lodging house, or any part thereof, is unfit for human habitation, or dangerous to life or health by reason of want of repair, or of defects in the drainage, plumbing, ventilation, or the construction of the same, or by reason of the existence of a nuisance likely to cause sickness among the occupants of said house, the board of health, after a hearing, may issue an order requiring all persons therein to vacate such house, or part thereof, within not less than 24 hours nor more than 10 days, for the

reasons to be mentioned in said order. In case such order is not complied with within the time specified, the board of health may cause said tenement, or lodging house, or part thereof, to be vacated. The board of health whenever it is satisfied that the danger of said house, or part thereof, has ceased to exist, or that it is fit for human habitation, may remove said order, or may extend the time within which to comply with the same.

**Buildings—Location, Construction, and Sanitary Regulation. (Reg. Bd. of H., Feb. 11, 1915.)**

**SEC. 4. Definitions.**—In this code the following terms shall have the meanings respectively assigned to them, viz:

**First-class building.**—A first-class building shall consist of fireproof material throughout, with floors and roof constructed of steel or reinforced concrete beams, filled in between with terra cotta or other masonry arches or with concrete or reinforced concrete slabs; wood may be used only for flooring, windows, and door frames, sashes, doors, interior finish, hand rails for stairs, necessary sleepers bedded in the cement, and for isolated furrings bedded in mortar. There shall be no air space between the top of any floor and the floor boarding.

**Second-class building.**—A second-class building is a building constructed with walls of masonry or concrete supporting the adjacent floor loads, with the interior floors supported by studded partitions or by columns and girders, with the roof or roofs constructed of incombustible material, with combustible materials used in any part, except outer walls and roofs, and with all wooden partitions and ceilings plastered.

**Third-class building.**—Any building or structure which does not come within the designation of either a first or second class building shall be deemed a third-class building.

**Exemptions.**—The provisions of this code relating to first and second class buildings shall not apply to voting booths nor to temporary structures used to facilitate the erection of buildings, provided that when the building is completed the temporary structure shall be removed.

**Foundations.**—That part of a wall below the level of the highest part of the street curb, or, if a wall is not on a street, that part of the wall below the level of the highest ground next to the wall, or, that part of a party or partition wall below the cellar floor.

**Party wall.**—A wall that separates two or more buildings, and which is used or adapted for the use of more than one building.

**Curtain wall.**—An interior or exterior nonbearing wall that is supported at each floor level by the skeleton frame of the building.

**Partition wall.**—An interior subdividing wall.

**Thickness of wall.**—The minimum thickness of any wall.

**Story of a building.**—That part of a building between the top of any floor beams and the top of the floor or roof beams next above.

**Basement.**—That story of a building not more than 40 per cent of which is below the grade of the street.

**Cellar.**—That part of a building not more than 40 per cent of which is below the grade of the street, and in third-class buildings that part of the building which is below the sills.

**Hotel.**—A house or building for the entertainment of travelers and others, properly distinguished from the lodging house by its superior style and pretensions, and having more than 20 sleeping rooms for guests.

**Boarding or lodging house.**—A boarding or lodging house is a building used for boarding or lodging purposes, containing not less than 5 nor more than 20 sleeping rooms for guests.

**Tenement.**—A tenement house is any house or building, or portion thereof, which is rented, leased, let, or hired out, to be occupied, or is occupied, or is intended, arranged,

or designed to be occupied, as the home or residence of three families or more living independently of each other, and doing their cooking on the premises, and having a common right to the halls, verandas, stairways, yards, water supply, water-closets or privies, or some of them; or by more than two families above the first story so living and having a right in common to use the conveniences aforesaid, or some of them.

*Office building.*—An office building is a building, the whole or larger part of which is intended or used for office purposes, no part of which is used for living purposes, except by the janitor and his family.

*Public hall.*—A public hall is a room for public assemblages, having a total seating capacity of 100 or more persons, but which does not include a theater.

*Theater.*—A theater is a building containing a room used for theatrical, operatic, or moving picture exhibitions, or other public entertainments, having a total seating capacity of 200 or more persons, and being provided with a curtain for moving pictures or a stage upon which movable scenery is used.

*Hospital, sanatorium, or asylum.*—A hospital, sanatorium, or asylum is a building in which sick, demented, injured, infirm, aged, or orphaned persons are housed, or intended to be housed.

*Warehouse.*—A warehouse is a building used for the storage of goods, wares, or merchandise.

*Factory.*—A factory is a building used for manufacturing purposes.

SEC. 5. *Air space between buildings.*—No building, not flush with a street or streets bounding the lot on which it is to stand, shall hereafter be erected within 5 feet of any other boundary line of said lot, unless the nature and location of such building and the purposes for which it is to be constructed and adapted do not require said vacant space for the preservation of public health and public sanitation. There shall be a clear air space of 10 feet between all buildings, except such as are flush with a street or streets bounding the lot on which they stand unless the nature and location of such buildings and the purposes for which they are to be constructed and adapted do not require said vacant space for the preservation of the public health and public sanitation. The word "buildings" in this paragraph shall be construed to mean and include sheds, lean-tos, privies, outhouses, and all other structures of similar character.

SEC. 6. *Rain water.*—Where the space between buildings is less than 15 feet, the water from the roofs of the building shall be made to discharge into suitable drains leading into street or alley gutters, and if any building is so situated that the water from the roofs of said building will run under the building and not drain off the same rule shall apply.

SEC. 7. *Light and ventilation of dwellings.*—Each and every room intended or used for human habitation shall be provided with at least 8 square feet of window area, having unobstructed access into the open air, for each 100 square feet of floor space in said room, and free access shall at all times be had to the same by the occupants of the room, and at least one-half of such window space shall be movable and available for ventilation. The word "room" in this paragraph shall be construed to mean and include any space for occupancy or use inclosed on all sides by walls, or by partitions which are 5 feet or more in height.

SEC. 8. *Air space under buildings.*—Every building, except as otherwise provided, shall have at least 20 inches of clear air space for the circulation of air between the floor timbers and the highest point of ground under same, and shall have sufficient openings for ventilation in the outer walls to admit a free circulation of air; but said air space shall not be secured by excavating below the level of the street and lot on which said building is to stand, and this air space shall not be used for storage but shall be kept clean and sanitary. In case said air space is not provided for in accordance with this code the ground floor of all such buildings shall be of concrete, asphaltum, or masonry so constructed as to leave no spaces or openings beneath the same.

SEC. 9. *Courts, areas, lanes, etc.*—Whenever in the judgment of the board or its agents the public health requires, they may order and direct any court, area, lane, or alley to be effectively paved and drained so as to prevent the saturation and contamination of the soil and air; and all such courts, areas, lanes, and alleys, whether paved or not, shall at all times be kept clean and free from all accumulations of ashes, garbage, or other waste substances by the owners, occupants, or persons in possession.

SEC. 10. *Tenement buildings.*—No tenement house constructed of wood shall be more than two stories in height. In the rear of every tenement house there shall be a clear yard extending across the entire width of the lot; the depth of such yard, measured from the extreme rear of the house to the rear line of the lot, shall never be less than 10 feet; and the side of every tenement and in at least every 100 feet of every tenement or abutting tenement over 100 feet in length, running from the front to the rear of the tenement, there shall be an alleyway open to the sky not less than 5 feet wide, which shall be kept clear, which shall be concreted with a 4-inch slab, and the ground under any tenement shall be concreted to the same thickness. All porches shall be connected to the ground by stairways with handrails. A tenement situated in the rear of another tenement shall be separated from the front building by a clear space across the entire length of the building of not less than 10 feet. This space shall be concreted and kept clear. No tenement house shall be altered or repaired except such alterations, repairs, or changes shall meet with the approval of the board of health or its agents.

SEC. 11. All houses, structures, rooms, or parts thereof in which water is used or intended to be used in such quantity as to render the floor or floors or the ground under the floor or floors thereof damp shall have such floor or floors made absolutely waterproof, with proper drainage into trapped leaders conveying the water away into cesspool or sewer, where practicable. The waterproofing of all such floors shall be done in a manner satisfactory to the board of health or its agents.

SEC. 12. No building or structure shall be used as a residence or place for human habitation or abode which is situated upon land that has been made by filling in with dangerous and insanitary refuse or garbage or any substance dangerous to the public health.

**Domestic Animals—Keeping of—Disposal of Dead Bodies. (Reg. Bd. of H., Feb. 11, 1915.)**

SEC. 87. *Pigs or swine.*—No person or corporation shall keep or allow to be kept upon premises in his or its possession, within the built-up districts of the Territory, any swine without first securing a written permit from the board of health or its agents. Such permit shall expire on the 1st day of July, annually, and be subject to the conditions thereof.

SEC. 88. The owner, lessee, tenant, or occupant of any stall, stable, or apartment in which swine are kept, or of any place in which manure, stable refuse, or any liquid discharge of such animals shall collect or accumulate, shall cause such manure, stable refuse, or liquid to be promptly and properly removed therefrom, and shall at all times keep, or cause to be kept, such stall, stable, or apartment, and the drains, yard, and appurtenances thereof, in a clean and sanitary condition, so that no offensive odor shall be allowed to escape therefrom.

SEC. 89. Floors, assorting boards, feeding troughs, gutters, and leaders shall be made of suitable hardwood planks, concrete, or other impervious material, so laid that they may be flushed with water, and with proper grades and channels to carry off all drainage.

False or loose boards are forbidden unless laid on concrete or other impervious material and of such size that the same may be readily removed.

SEC. 90. Dung pits, refuse bins, swill boilers, and other like appurtenances shall be fly proof and of such construction that no odor shall escape therefrom.

SEC. 91. It shall be unlawful to feed hogs any uncooked slaughterhouse offal or the uncooked flesh of dead animals.

SEC. 92. No person or persons shall collect or keep any hog or hogs in any pen, or otherwise confine any hog or hogs within the built-up districts of the Territory, so that the same shall become noisome or offensive to other persons residing in the neighborhood.

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SEC. 108. *Keeping of live stock, etc.*—No building, except a livery stable, shall be used for the keeping of horses or cattle within 25 feet of any dwelling house without a permit by the board of health or its agents.

SEC. 109. All henneries, dog kennels, and pens for any animals shall be kept clean and free from decaying food and from filth of any kind. The buildings and pens shall be whitewashed or disinfected and put in such sanitary condition as may be ordered by the board of health or its agents.

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SEC. 111. *Dead animals.*—No person shall throw or deposit any dead animal or animals on any of the public streets or highways in the Territory.

#### Stables and Disposal of Manure. (Reg. Bd. of H., Feb. 11, 1915.)

SEC. 86. Every owner, lessee, tenant, or manager of any and every building or place in or upon which any stall, stable, or apartment in the built-up portion of any city, town, village, or settlement in the Territory in which any horse, cattle, or other animal is kept, or of any place in which manure, stable refuse, or any liquid discharge of such animals shall collect or accumulate shall cause such manure, stable refuse, or liquid to be promptly and properly removed therefrom, and shall at all times keep or cause to be kept such stalls, stables, or apartments, and the drains, yards, and appurtenances thereof in a clean and sanitary condition, so that no offensive odors shall be allowed to escape therefrom. Wherever necessary, such stable and the yard and appurtenances thereof shall be connected with the sewer, if accessible; otherwise to a properly constructed cesspool.

All stable manure and refuse awaiting removal shall be stored in a bin or pit. The size and construction of such bin or pit shall meet with the approval of the board of health or its agents. No stable manure, animal or vegetable refuse, night soil, or garbage of any nature which is dangerous to the public health shall be used for grading purposes or for filling up any house lot or other tract of land.

#### Swill and Offensive Refuse—Disposal of. (Reg. Bd. of H., Feb. 11, 1915.)

SEC. 93. No person shall permit or have any offensive swill or other liquid substance on his premises or grounds, to the prejudice of life or health, whether for use in any trade or otherwise.

SEC. 94. No person or persons shall collect any offal or swill, decayed meat, fish, or any animal or vegetable matter, nor transport the same through any street, highway, or public place, except in water-tight, securely covered containers, from which no odor can escape, and which will prevent spilling or leakage.

SEC. 95. All carts and vehicles for carrying swill, offal, or other nauseous or offensive substances, boxes, tubs, and receptacles in which any nauseous or offensive substances may be, or may be carried, shall be strong and tight and impervious to flies, and the sides shall be so high above the load or contents that no part of such contents or load shall fall, leak, or spill therefrom; and either the vehicle or vessel carried by it shall be so covered as to be inoffensive; and all such material shall be loaded or removed in a sanitary manner. Vehicles used for the conveyance of swill, offal, or other nauseous or offensive substances, shall not be used at any time for the transportation or conveyance of any meat, fish, vegetable, or other foodstuffs which are to be utilized for human consumption at any time or under any circumstances.

**Barber Shops—Sanitary Regulation. (Reg. Bd. of H., Feb. 11, 1915.)**

SEC. 85. All barber shops, together with all furniture, shall be kept in a cleanly and sanitary condition. The floors shall be disinfected, washed, and scrubbed with hot water and soap or lye at least twice each week or oftener, if necessary.

Mugs, shaving brushes, razors, scissors, clipping machines, pincers, needles, and other steel instruments shall be sterilized by immersion in boiling water or in alcohol of at least 60 per cent strength after each separate use. Combs and brushes shall be thoroughly cleaned with water and soapsuds after each separate use.

A separate clean towel shall be used for each person. Alum or other material used to stop the flow of blood shall be applied only on a towel or other clean cloth.

The use of sponges and powder puffs is prohibited. Every barber shop shall be kept well ventilated and be provided with at least one wash basin or sink with an adequate supply of clean water. Every barber shall thoroughly cleanse his hands immediately before serving each customer. No person shall be allowed to use any barber shop as a sleeping room, and no foodstuffs or articles of food shall be permitted to be kept for sale in any barber shop. All barber shops must be entirely cut off from any place where articles of food are kept for sale and from rooms used for sleeping.

**Laundries—Sanitary Regulation. (Reg. Bd. of H., Feb. 11, 1915.)**

SEC. 84. All laundries, or buildings used for laundry purposes, shall have the floors and walls to a sufficient height constructed of an impervious material. The location, plans, and construction of such laundries or buildings shall be approved by the board of health or its agents.

**Nuisances. (Reg. Bd. of H., Feb. 11, 1915.)**

SEC. 107. *Definition of nuisance.*—To render or maintain either impure or unwholesome the air, the soil, the public highway, any structure, any food, drink, or medicine, or to sell or lease that which has been rendered impure or unwholesome, or needlessly put in jeopardy human life, health, or physical comfort in any manner whatsoever, or to aid in so doing, is hereby declared to be a nuisance within the meaning of this code.

SEC. 110. No person shall permit or have any offensive water or other liquid or substance on his premises, to the prejudice of life or health, whether for use in any trade or otherwise.

SEC. 112. *Hides and skins.*—No person will be allowed to dry, salt, or tan hides or skins, or to store the same, in any place in the Territory not first approved by the board of health or its agents.

**Flies—Prevention of the Breeding of. (Reg. Bd. of H., Feb. 11, 1915.)**

SEC. 113. No person, firm, or corporation shall suffer or permit or have upon their premises, whether owned, leased, or occupied by them, either one or more of the following insanitary fly-producing, disease-causing conditions, to wit:

- (1) Manure which is not securely protected from flies.
- (2) Any privy, vault, cesspool, sink, pit, or like place which is not securely protected from flies.
- (3) Garbage which is not securely protected from flies.
- (4) Vegetable waste, trash, litter, rags, or refuse of any kind, nature, or description in which flies may breed or multiply.

**Poisons and Drugs—Sale of.<sup>1</sup> (Reg. Bd. of H., May 27, 1915.)**

**SEC. 101. *Drugs and chemicals.***—The following substances shall be known as schedule "A" drugs and chemicals; they shall be held to constitute poisons within the meaning of chapter 73 of the Revised Laws, 1915, and shall not be sold except upon the prescription of a duly licensed practitioner of medicine (R. L. 1052), or upon a permit issued by the board of health.

Acetanilide.  
Aconite (aconitine).  
Alpha eucaine.  
Antipyrine.  
Belladonna (atropine).  
Beta eucaine.  
Brucine.  
Cannabis indica.  
Cantharides.  
Chloral hydrate.  
Chloroform.  
Cocaine.  
Codeine.  
Coniine (alkaloid of hemlock).  
Croton oil.  
Digitalis.  
Ergot.

Henbane (hyoscyamus).  
Heroin.  
Hydrastine (in golden seal).  
Hydrocyanic acid.  
Morphine.  
Nux vomica (strychnine).  
Oil of bitter almonds.  
Opium.  
Phenacetine.  
Pyramidone.  
Savin.  
Salicylic acid.  
Sulphonal.

Any of the salts, derivatives, compounds, or preparations of the foregoing substances.

*Provided, however,* That this section shall not apply to so-called proprietary or patent medicines which contain any of the above-named drugs in doses not to exceed those established by the U. S. Pharmacopoeia (where the U. S. Pharmacopoeia does not list the drug the National Standard Dispensatory shall be followed): *And provided further,* That in all cases except in physicians' prescriptions the quantity per apothecary ounce (weight or measure) of said drug or drugs shall be plainly and conspicuously stated on the principal label of the container or that the formula shall be deposited and registered with the board of health.

The names of the ingredients of proprietary and patent medicines, registered in accordance with the terms of this section, and all information relating thereto or connected therewith, shall be regarded as confidential, and shall not be open to inspection by the public or any person other than the official custodian of such records in the department of health, such persons as may be authorized by law to inspect such records, and those duly authorized to prosecute or enforce the Federal statutes, the laws of the Territory of Hawaii, both criminal and civil, and the regulations of the Board of Health of the Territory of Hawaii, but only for the purpose of such prosecution or enforcement.

**SEC. 102.** The following substances shall be known as schedule "B" drugs and chemicals; they shall be held to constitute poisons within the meaning of chapter 73 of the Revised Laws, 1915, and may be sold or delivered by persons who have no pharmacist license nor license to sell poisonous drugs, where such substances are sold or delivered in the original unbroken packages and a record of the sale kept as provided for in section 1001, R. L. 1915. For the purpose of this regulation, however, any package of a substance in schedule "B" put up by a duly licensed pharmacist shall be considered an original package. The box, phial, or other package in which

<sup>1</sup> The sections referred to are secs. 96 to 99, inclusive, on pp. 1799 and 1800 of the Public Health Reports for June 11, 1915.

any substance included [sic] containing the words "poison" and "laau make" in large letters, together with emblematic devices showing the skull and crossbones:

Arsenic in all forms.

Carbolic acid.

Creosote.

Mercuric salts (corrosive sublimate, red and white precipitate of mercury, etc.).

Muriatic acid.

Nitric acid (aqua fortis).

Oxalic acid (sorrel) in all forms.

Phosphorus.

Salts of lead.

Sulphuric acid (oil of vitriol).

Tartar emetic.

Fungicides.

Insecticides.

Rat poisons.

**Tuberculosis—Penalty for Careless Disposal of Sputum, Saliva, or Other Bodily Secretion or Excretion of Persons Suffering From. (Act 98, Apr. 16, 1915.)**

SECTION 1. Section 955, Revised Laws of Hawaii, 1915, is hereby amended by striking out the last sentence thereof and substituting therefor the following:

"Any person failing or refusing to comply with orders or regulations of the board of health or its agent, requiring him to cease to commit such offense, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined not more than \$5, and upon a second conviction for a violation of the provisions of this section, such person, upon petition of the board of health, may be committed, after due notice and a full hearing, by any court having jurisdiction to hear such cases, to any hospital for the care of persons suffering from tuberculosis or to any other place or institution where proper care will be provided and where the necessary precautions will be taken to prevent the spread of tuberculosis. After commitment such person may be discharged by said court upon the recommendation of the board of health.

"Any person so committed to a hospital or institution who fails to remain there, or who neglects or refuses to obey the rules and regulations of such hospital or institution, may, if necessary for the safety of others, be isolated or separated from other persons and restrained from leaving the hospital or institution."

**Mongoose—Appropriation for Payment of Bounty on. (Act 82, Apr. 15, 1915.)**

SECTION 1. The sum of \$2,500, or so much thereof as may be necessary, is hereby appropriated from the general revenues of the Territory to be known as the "mongoose fund," and is to be used for the payment of bounties on mongoose as contained in chapter 39 of the Revised Laws of Hawaii of 1915.

**Board of Health—Appropriations. (Act 175, Apr. 26, 1915.)**

SECTION 1. The following sums are hereby appropriated, for the objects hereinafter expressed, for the biennial period ending June 30, 1917, out of moneys in the treasury received from the general revenues:

*	*	*	*	*	*	*
<b>BOARD OF HEALTH.</b>						
<b>General:</b>						
President (\$325).....					\$7,800	
Secretary, clerks, stenographers, janitors, messengers, expenses.....					26,000	
						\$33,800
<b>Sanitation:</b>						
Sanitary engineer (\$250).....					6,000	
Chief sanitary inspector, Oahu (\$225).....					5,400	



**Sanitation—Continued.**

Chief sanitary inspector, Hawaii (\$225).....	\$5, 400
Chief sanitary inspector, Maui (\$150).....	3, 600
Chief sanitary inspector, Kauai (\$150).....	3, 600
District sanitary inspector, Oahu (\$100).....	2, 400
District sanitary inspectors, Hawaii.....	4, 800
District sanitary inspector, Maui (\$90).....	2, 160
District sanitary inspector, Kauai (\$90).....	2, 160
Sanitary inspectors, Honolulu.....	25, 080
Sanitary inspectors, Hilo.....	5, 760
Clerk, Hawaii (\$100).....	2, 400

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 \$68, 760

Expenses, Territory.....	12, 500
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**Pure food:**

Food commissioner and assistants.....	12, 600
Expenses.....	3, 000

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 15, 600
**Bacteriological bureau:**

Bacteriologist and pathologist, Oahu (\$200).....	4, 800
Bacteriologist and specialist, Hawaii (\$200).....	4, 800
Laboratory assistants.....	4, 000
Laboratory equipment and expenses.....	2, 400

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 16, 000
**Pay of Government physicians:**

Provided, however, that no salary shall be allowed or paid unless the physicians employed or appointed in the several districts to which they are appointed shall treat the indigent sick free of charge in such district or districts as the case may be to which they are appointed.

Hawaii.....	18, 480
Maui and Molokai.....	9, 960
Kauai.....	6, 480
Oahu.....	6, 600

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 41, 520

Medical supervision and treatment of school children.....	5, 000
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Quarantine and medical service and expenses.....	45, 000
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Rat campaign.....	20, 000
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Mosquito campaign.....	25, 000
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Prevention and cure of tuberculosis.....	120, 000
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**Repairs, maintenance, and equipment, quarantine stations:**

Honolulu.....	1, 060
Hilo.....	1, 500

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 2, 560

Erection, equipment, maintenance, morgue, Hilo, to be built under direction of the board of health.....	3, 500
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**Care of lepers and their children:**

Medical supplies and equipment.....	\$45, 000
General pay roll.....	65, 000
Segregation, hospitals, and maintenance.....	200, 000
Amusements.....	1, 440
Sheriff and police.....	2, 880
New buildings, Kalaupapa.....	12, 000

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 326, 320
**Homes for nonleprous children:**

Kapiolani Girls' Home.....	22, 500
Pay roll.....	\$6, 000
Maintenance.....	14, 000
Nurses' cottage and furnishing.....	2, 500
Kalihi Boys' Home.....	19, 000
Pay roll.....	7, 000
Maintenance.....	12, 000

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 41, 500
**Insane Asylum:**

Superintendent (\$225).....	5, 400
Pay rolls.....	50, 500
Maintenance.....	54, 000

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 109, 900
**Sanatorium:**

Pay roll and maintenance.....	12, 000
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 898, 900

**Board of Health—Civil Service Examinations. (Act 32, Mar. 29, 1915.)**

SECTION 1. Section 925<sup>1</sup> of the Revised Laws of Hawaii of 1915 is hereby amended so as to read as follows:

"**Sec. 925. Examinations.**—Such examination shall be public and free to all citizens of the Territory, and to all persons eligible to become such, over 20 and under 60 years of age, with proper limitations as to residence, health, habits, and character. Such examinations shall be practical in their character and shall be conducted in either the English or the Hawaiian language, at the option of the person examined, and may include tests of manual skill and physical strength. The commission shall control all such examinations, and may designate a suitable person or persons to conduct them."

**Store at Leper Settlement—Appropriation for Operation and Maintenance. (Act 15, Mar. 22, 1915.)**

SECTION 1. To enable the board of health to operate and maintain the "Kalaupapa store," situated at Kalaupapa, Molokai, the sum of \$10,000 is hereby appropriated as a special fund to be deposited in the Territorial treasury and to be a continual deposit, subject to the control of the board of health through its president, to be used from time to time in operating and maintaining the said "Kalaupapa store." All moneys withdrawn from such fund for such purposes shall be reimbursed or restored thereto, so far as may be, out of any moneys received or collected from the sales made in said "Kalaupapa store" and shall then be available for further use.

SEC. 2. This act shall take effect April 1, 1915.

**Milk—Sale of. (Act 45, Apr. 6, 1915.)**

SECTION 1. Section 2053 of the Revised Laws of Hawaii of 1915 is amended to read as follows:

"**SEC. 2053. Fee.**—The annual fee for a license to sell milk shall be \$2.50: *Provided, however,* That any person having no more than two milch cows may sell the milk from such cows without a license therefor; but such person must comply with any city and county ordinance or county ordinance relating thereto: *And provided also,* Such person must comply with such rules and regulations of the board of health as apply."

**Foods and Drugs—Adulteration and Misbranding. (Act 78, Apr. 13, 1915.)**

SECTION 1. Section 990 of the Revised Laws of Hawaii, 1915, is hereby amended by deleting the words "or drink by man," and inserting the words "drink, confectionery, or condiment by man or animals" after the word "food," so that the last clause of said section shall read as follows:

"The term 'food' as used herein shall include all articles used for food, drink, confectionery, or condiment by man or animals, whether simple, mixed, or compound."

SEC. 2. Section 991 of the Revised Laws of Hawaii, 1915, is hereby amended by adding, after the word "produced," the following:

"Any drug or article of food shall also be deemed to be misbranded within the meaning of this chapter when in package form, if the quantity of the contents be not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count: *Provided, however,* That reasonable exemptions shall be permitted, and tolerances and also exemptions as to small packages shall be established by rules and regulations made by the territorial board of health."

SEC. 3. Section 993 of the Revised Laws of Hawaii, 1915, is hereby amended by adding thereto the following sentence:

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<sup>1</sup> Reprint No. 264 from the Public Health Reports, p. 136, sec. 4.

"The board of health may also appoint deputy food commissioners or analysts."

SEC. 4. A new section is hereby added to the Revised Laws of Hawaii, 1915, to be known as section 994A, as follows:

"SEC. 994A. *Duties of deputy food commissioners or analysts.*—The deputy food commissioners or analysts shall perform such duties as the food commissioner or analyst or the board of health may from time to time prescribe."

SEC. 5. Section 997 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"SEC. 997. *Powers of commissioner and deputy commissioners.*—The food commissioner or his deputies shall have the power in the performance of their duties to enter into any creamery, factory, restaurant, store, salesroom, storage-room, drug store, or laboratory, or any place where they have reason to believe food, drink, or drugs are made, prepared, sold, or offered for sale, and to open any cask, tub, bottle, case, or package containing or supposed to contain any article of food, drug, or drink, and examine or cause to be examined the contents thereof. In case any drug or article of food is found to be adulterated or misbranded within the meaning of this chapter and the owner or person in charge thereof refuses to comply with the instructions of the food commissioner or his deputies for the proper disposal thereof, such drug or article of food shall be liable to seizure. Upon the request of the food commissioner or his deputy, made to any court having jurisdiction over such matters, the said court shall order and direct that such drug or article of food be seized and delivered into the custody of the court and the same shall be held in such custody until a hearing has been held to determine as to whether or not it is adulterated or misbranded. If upon such hearing the court decides that the drug or article of food seized is adulterated or misbranded within the meaning of this chapter, said court shall order the same destroyed or sold, but it shall only be sold in case it is fit for food and not dangerous to health: *Provided, however,* That upon the payment of the costs of any such proceedings and any fine hereunder, and the execution and delivery of a good and sufficient bond conditioned that such drug or article of food will not be sold or otherwise disposed of contrary to the provisions of this chapter, the court may order the same delivered to the owner thereof."

#### **Cattle—Slaughtering of. Beef—Sale of. (Act 26, Mar. 24, 1915.)**

SECTION 1. Section 2007 of the Revised Laws of Hawaii of 1915 is amended to read as follows:

"SEC. 2007. *Fee, to slaughter and sell.*—The annual fee for a license to slaughter cattle and sell beef shall be \$100 for the district of Honolulu and \$20 for each other district: *Provided, however,* That any person may slaughter one head of cattle per month and sell such beef without a license therefor, provided such beef shall be of his own raising and slaughtered on his own premises; but such person must comply with any city and county ordinance or county ordinance relating thereto: *And provided, also,* Such person must comply with the rules and regulations of the board of health as apply: *And provided, further,* That any person so slaughtering and selling beef without a license shall keep a full and accurate record concerning every animal killed, as provided by section 2008 of the Revised Laws of Hawaii of 1915."

SEC. 2. This act shall take effect July 1, 1915.

#### **Swine—Slaughtering of. Pork—Sale of. (Act 18, Mar. 23, 1915.)**

SECTION 1. Section 2011 of the Revised Laws of Hawaii of 1915 is amended to read as follows:

"SEC. 2011. *Fee, to slaughter and sell.*—The annual fee for a license to slaughter swine and sell pork shall be \$40 for the district of Honolulu and \$20 for each other district: *Provided, however,* That any person may slaughter one swine per month and

sell the pork without a license therefor, provided such swine shall be of his own raising and slaughtered on his own premises; but such person must comply with any city and county ordinance or county ordinance relating thereto: *And provided, also,* Such person must comply with such rules and regulations of the board of health as apply."

SEC. 2. This act shall take effect July 1, 1915.

**Water Supplies—Appointment of Commission to Investigate. (Act 36, Mar. 31, 1915.)**

SECTION 1. The governor is hereby authorized to appoint a commission of three persons, one or more of whom shall be a member or members of the legal profession which shall serve without pay, and which shall collect and examine available data and information relative to the water resources, both underground and surface, and both privately and publicly owned or controlled, in the Territory of Hawaii;

Which shall also examine and make a study of existing laws pertaining to the diverting, developing, using, conserving, holding, and wasting of water;

Which shall, if deemed necessary, employ the services of legal and technical experts;

Which shall have the power to visit, examine, and measure all existing water sources, channels, ditches, wells, tunnels, or other structures used for transporting or utilizing water; and

Which shall make such recommendations and draft such legislation as may by it be deemed necessary to serve the best interests of the people of the Territory of Hawaii, and shall embody the same in a report to the governor on or before January 1, 1917.

SEC. 2. There is hereby appropriated out of the general revenues the sum of \$5,000 for defraying the expenses of said commission, to be disbursed on warrants of the auditor, issued on approved vouchers of the chairman of said commission.

**Opium—Sale and Use. (Act 143, Apr. 23, 1915.)**

SECTION 1. Section 2072 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"SEC. 2072. *Sale of opium.*—The board of health may, upon the conditions to be named in such authorization, authorize any duly qualified physician or surgeon, or any person holding a license to sell poisonous drugs, to sell for medicinal purposes only, opium and preparations thereof: *Provided, however,* That no person shall sell or furnish opium or any preparation thereof, except upon the written prescription of a duly licensed physician signed by him, and such prescription shall be written in ink, bear the name of the person to whom issued, the date of its issuance, the time of its expiration, and state the maximum quantity that may be sold or furnished under such prescription."

SEC. 2. Section 2075 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"SEC. 2075. *Using or smoking opium; penalty.*—Any person who shall use or smoke opium or any preparation thereof, or have the same in his possession, except as provided in sections 2072 and 2074, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than \$10, nor more than \$100, or by imprisonment not more than six months."

**Insane Persons and Persons Addicted to Excessive Use of Drugs or Liquor—Care, Control, and Treatment. (Act 187, Apr. 27, 1915.)**

SECTION 1. There shall be established and used in connection with the insane asylum of the Territory of Hawaii, a separate department, or branch thereof, to be known as the "detention house," which shall be specially designed and equipped for the active and special medical care and treatment of insane persons of the acute

and curable class, or whose recovery or improvement would in the judgment of the commissioners of insanity be facilitated by their detention separate and apart from other inmates of the asylum whose character of affliction, conduct, or presence would tend to retard recovery in such apparently curable cases and where separate provision and accommodation may be made for patients more suitably with reference to their customary station in life and where patients may be separately maintained and treated wholly or in part at the expense of their own estate or relatives or other persons who may make provision therefor.

SEC. 2. *Special ward.*—There shall be a special ward in said detention house for the reception and special care, control, and treatment of persons not necessarily insane but committed thereto as patients addicted to the excessive use of drugs or liquor.

SEC. 3. For said purposes the board of health is hereby directed to select and set apart or acquire by purchase or otherwise suitable land upon which to erect a suitable building or buildings, and properly equip the same.

SEC. 4. *Management of detention house.*—Said detention house, including the special ward, shall be under the immediate management of the superintendent of the insane asylum subject to the general direction and control of the board of health in the same manner as provided by law for the insane asylum.

SEC. 5. *Use of detention house.*—Any person who has been committed to the insane asylum shall be subject to transfer from the main institution to said detention house or from said detention house back to the main institution, from time to time, as the commissioners of insanity shall in their judgment order or approve. Any such person may also be transferred by the commissioners to said special ward; but no person committed as a patient addicted to the excessive use of drugs or liquor shall be subject to transfer from the special ward to the insane asylum except upon a legal adjudication of his insanity.

SEC. 6. *Trust funds for maintenance of patient.*—The board of health is hereby authorized to accept and hold in behalf of the Territory any grant, gift, or devise of money or property in trust for the use and benefit either for the insane asylum as a whole, or any department thereof, or for male or female patients, or for the special ward, or for the use and benefit of any individual inmate or inmates or class of inmates of the asylum or special ward, or for any other incidental purpose; and shall cause each such gift, grant, or devise to be kept as a distinct fund to be used, invested, applied, and otherwise disposed of according to the terms incident thereto; and they shall include in each report to the governor a statement showing all the funds and property so received or held and the condition and application thereof.

SEC. 7. *Proclamation; special ward.*—Upon the completion and equipment of said detention house and special ward, the board of health shall report such facts to the governor, who shall thereupon issue a proclamation giving public notice that the said special ward is prepared to receive patients, a copy of which proclamation shall also be forwarded by mail to each circuit judge and district magistrate in the Territory.

SEC. 8. *Examination as to persons addicted to the excessive use of drugs or liquor; petition; warrant.*—Upon the filing in any circuit or district court by any relative, next friend, or any county or city and county sheriff or deputy, of a verified petition setting forth that any person within the jurisdiction of such court is a patient addicted to the excessive use of drugs or liquor and in need of care and treatment, or that it is dangerous for said person to be at large, and also stating therein the petitioner's relationship, if any, and the indication of lack of self-control of such alleged patient in the use of any such drugs or liquor, and praying the court to inquire into the matter and commit such person as a patient addicted to the excessive use of drugs or liquor, the judge of such court shall require that such alleged patient be brought before him, and when from such petition or otherwise it appears necessary, may issue a warrant directed to the sheriff or deputy sheriff of the county or city and county, or to the

high sheriff or his deputy, requiring him forthwith to arrest and bring such person before the court for examination.

It shall thereupon be the duty of the judge of such court to examine the alleged patient brought before him and at such hearing the alleged patient shall have the right to be heard personally or by counsel, and to produce and have subpoenaed witnesses on his behalf. Before any such examination shall be made, and if such patient shall have no other counsel, the judge shall give reasonable notice to the county attorney, who shall appear and take such action as may be necessary to protect the rights of the alleged patient and the interests of the Territory. The judge shall in any case render and file his decision thereon in writing, including a statement of the facts as found by him, and the reasons therefor and enter judgment accordingly, and if the judgment is for commitment shall forward a copy thereof to the superintendent of the insane asylum.

SEC. 9. *Commitment of patients addicted to the excessive use of drugs or liquor; term.*—If it shall be determined by the said judge that the person so brought before him for examination is a patient addicted to the excessive use of drugs or liquor, or lacks self-control in the use of any such drugs or liquor, and is in need of detention and special treatment therefor, such person shall be committed by said court to the special ward of said detention house as a patient. The term of detention shall be for an indeterminate period and until such person shall be discharged therefrom according to law: *Provided*, That no person shall be confined in said special ward without being released on parole at least once a year.

SEC. 10. *Appeal.*—Said alleged patient addicted to the excessive use of drugs or liquor or any relative or next friend on his behalf may appeal to the commissioners of insanity from any judgment of commitment as aforesaid, by filing notice of such appeal in the court of commitment within five days, and a copy thereof with the chairman of the commissioners of insanity within 10 days after entry of such judgment of commitment, which appeal may be taken without payment of any costs in the court of commitment. Upon such appeal the commissioners of insanity shall hear and determine the same in the same manner as by law provided in the case of an appeal from the commitment of an alleged insane person and their decision thereon shall be final.

SEC. 11. *Voluntary commitment of patients addicted to the excessive use of drugs or liquor.*—Any person may be committed to the special ward upon his own application to the judge of any circuit or district court: *Provided*, That he shall sign a voluntary application for such commitment, and from time to time pay the maintenance charges required by the board of health as the same shall accrue.

SEC. 12. *Maintenance fund for special ward.*—The board of health shall from time to time, either by general resolution or specifically in any particular case or class of cases, fix a sum not to exceed \$25 per week as a maintenance fee or charge to be paid by the patient, and the superintendent of the asylum shall collect the same from such patients or out of their property or from any person or persons legally bound for their support. All sums so collected shall be deposited as a special fund in the treasury and shall be available only for the maintenance of said special ward as the board of health shall determine. If the board shall deem it a hardship to compel any patient or those legally liable for the support of such patient to pay said maintenance fees, it may relieve such patient or persons from any part or all of such burden as may seem reasonable and just.

SEC. 13. *Treatment of patients addicted to the excessive use of drugs or liquor.*—Persons committed as patients addicted to the excessive use of drugs or liquor shall be given such method of treatment as in the judgment of the superintendent and the commissioners of insanity will best tend to eliminate the effects of drugs or liquor, to build up their systems physically and mentally, and to strengthen their moral character and ability to resist the temptation of drugs and liquor.

**SEC. 14. *Parole of patients addicted to the excessive use of drugs or liquor; recommitment.***—Whenever any patient shall appear to be a suitable case for parole, the superintendent may recommend such parole to the commissioners of insanity, and the commissioners may parole such patient, either for a specific or indeterminate period, under such restrictions as they may deem proper, and provided such patient shall pledge himself to abide by the terms of such parole and the order of the commissioners respecting the use of drugs or liquor, and shall report in person or in writing as the commissioners shall require, and submit to all examinations from time to time as the commissioners may require during the parole. If at any time any patient on parole shall fail to comply with any of the conditions of his parole, or refuses to submit to any order of the commissioners respecting the same as aforesaid, or the commissioners are otherwise satisfied that such patient requires further detention and treatment in the special ward, the commissioners may cancel his parole and summarily remand him to the special ward, and for such purpose may issue a writ of remand of such person directed to the sheriff or deputy sheriff of the county or city and county or to the high sheriff or his deputy, commanding such officer to take said patient into custody and deliver him to the superintendent of said special ward.

**SEC. 15. *Discharge of patients addicted to the excessive use of drugs or liquor.***—Any person committed as a patient, or any person in his behalf, may apply to the commissioners of insanity for discharge from the special ward, and the commissioners shall thereupon make an examination of such patient, and if the commissioners are satisfied that such patient is cured, or fit to be allowed at large without danger to himself or any other person, or that such person has regained his self-control respecting the use of drugs or liquor, they may discharge such patient. The commissioners may in their discretion if discharge be denied nevertheless release such patient on parole. Whenever any patient is discharged from the special ward, the commissioners shall sign and deliver a certificate of discharge to such patient, and also forward a certified copy of such discharge to the circuit or district court of the circuit or district from whence such patient was committed, and the judge shall file the same with the record of commitment.

**SEC. 16. *Duties and powers of commissioners of insanity.***—In all matters affecting said detention house and special ward, and in all proceedings by and before the commissioners of insanity under the provisions of this act, the commissioners shall perform the duties and functions required of them and have and exercise any and all of the powers and authority in them vested, as though under sections 1076 to 1091, inclusive, of the Revised Laws of Hawaii, 1915, relating to insane persons, not inconsistent herewith.

**SEC. 17. *Compensation of commissioners.***—For each examination made by the commissioners of insanity of any insane or alleged insane patient for the purpose of determining the advisability or necessity of transferring such patient to or from the detention house or special ward the commissioners shall each be entitled to receive a fee of \$2.50, to be paid by or out of the estate of such patient. For each examination of any patient committed to the detention house or special ward, whether upon an appeal or an application for parole or discharge, the commissioners shall each be entitled to receive a fee of \$5, to be paid by or out of the estate of such patient. If in any case any alleged insane person examined for transfer to or from said detention house or special ward, or any person examined on appeal or for parole or discharge from said detention house or special ward, shall be wholly unable to pay said fees, or if, on any application for parole or discharge or on an appeal, the parole or discharge shall be granted or the appeal sustained, the fees for examination shall be a charge upon the county or city and county from which said patient was committed, similarly as provided by section 1084 of the Revised Laws of Hawaii, 1915, in the case of examinations of insane persons for discharge from the insane asylum.

**Births—Registration of. (Act 48, Apr. 6, 1915.)**

**SECTION 1.** Section 1133 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"**SEC. 1133. Births.**—Each registrar shall enter in said record, in respect of each birth occurring in his district, the following facts, so far as they can be ascertained by him, viz: The name of the father, the name of the mother, the date of the birth, the sex of the child, the name of the child, if it has been named, the locality of its birth, and whether the child is legitimate or illegitimate: *Provided, however,* That said registrar shall keep a separate record of all births reported later than six months after the date of said birth, which record shall not be admissible as evidence of any statement therein made, nor shall any certified copy of such record or any part thereof be furnished by said registrar."

**Laundries, Dyeing Works, Cleaning Works, and Dyeing and Cleaning Works—License. (Act 107, Apr. 16, 1915.)**

**SECTION 1.** That section 2042 of the Revised Laws of Hawaii, 1915, be and the same is hereby amended so as to read as follows:

"**SEC. 2042. Conditions, fee.**—The treasurer may issue to any person, firm, or corporation a license to maintain and operate a laundry, dyeing or cleaning, or dyeing and cleaning works upon such conditions as to location and otherwise as shall be set forth in the license. Any such license shall not be issued except upon a certificate of the board of health setting forth that the location at which it is proposed to operate such laundry, dyeing or cleaning, or dyeing and cleaning works is suitable for the purpose. The annual fee for a license for either a laundry, dyeing or cleaning, or dyeing and cleaning works shall be \$25: *Provided, however,* That the provisions of this section shall not apply to any laundries operated for profit, where not more than two persons are engaged, including the proprietor or proprietors of such laundry, and conducted in compliance with the rules and regulations of the board of health: *And provided further,* That this section shall not apply to laundries conducted in compliance with the rules and regulations of the board of health by persons in their own homes for members of their household only."

**Insanitary Land—Improvement of. (Act 190, Apr. 27, 1915.)**

**SECTION 1.** A new section is hereby added to the Revised Laws of Hawaii, 1915, to be known as section 976A, and to read as follows:

"**SEC. 976A. Maps and plans.**—If the board shall in any case recommend a system of drainage or of filling and drainage, the superintendent of public works shall, upon receipt of such notice, prepare a map of the land so reported upon by the board of health and to be so drained, or filled and drained, which land shall constitute a drainage district; said map shall show the district to be so drained, or filled and drained, the location and the size of each parcel or lot therein, a list of all known owners and occupants of such lots, the lots or parcels either within or without such drainage district through which rights of way for drains or ditches for draining said district are necessary, the amount of land necessary to be taken for such drains or ditches and for the banks thereof, a description of the same, an estimate of the value of said lands so sought to be taken for such rights of way, and of the damages sustained by any person or corporation by reason of such appropriation irrespective of any benefit to be derived by such land owners by reason of the construction of such improvements, which estimates shall be made respectively as to each person or corporation through whose land said rights of way are sought to be appropriated; such map shall also show the extent and location of the proposed drains or ditches, the width, depth and slope of the sides thereof, an estimate of the total cost of the system of drainage in and for said district, including therein among other things the cost of acquiring the necessary rights of way



as aforesaid and of making ditches; estimates of the cost, respectively, of the filling of each lot or parcel of land in said district; and the estimate of the cost to be apportioned to and assessed against each lot or parcel of land in said district for the drainage as aforesaid of such lot or parcel, the apportionment to be as hereinafter required.

"If the board of health shall recommend only that the land be filled, such map shall, so far as practicable, show the present heights of each parcel, the height to be filled to, the approximate amount of fill required for each parcel and the estimated cost thereof.

"The superintendent of public works may, in his discretion, embody any of the information herein required in a statement to accompany the appropriate map instead of placing the same upon the map."

SEC. 2. Section 977 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"SEC. 977. *Notice to owners to improve.*—It shall be the duty of the superintendent of public works upon the receipt of such notice to cause a copy of the same to be served in the manner prescribed in section 978 upon the owner or occupant of such land. The superintendent shall also notify each owner or occupant that a detailed statement and map or plan of the proposed improvement is on file in his office accessible to such owner or occupant. Said superintendent shall at the same time and in the same manner serve notice that, in case of failure to begin work upon such improvements within 20 days, or such further time in special cases as to said superintendent may seem reasonable, and to complete such work within a reasonable time in such notice designated, such work or so much thereof as may remain undone will be done by the Territory at the cost of the lands benefited thereby."

SEC. 3. Section 979 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"SEC. 979. *Appeal.*—During the period of 20 days, or such further time in special cases as is specified in the notice given pursuant to the provisions of section 977, any owner or occupant of land sought to be improved, his attorney or agent, may file an appeal from the decision of the board of health condemning the land as deleterious to the public health or from its decision or the order of the superintendent of public works as to the nature and extent of the improvements to be made, including the size, character, and location of any drains or ditches, and within 20 days after written demand by the superintendent of public works on the owner or occupant of any land in a drainage district improved by drainage under this chapter, for the payment of the cost of any such drainage, such owner or occupant, his attorney or agent, may file an appeal from the order of the said superintendent apportioning the cost of such drainage to be borne by his land. All appeals shall be filed with the superintendent of public works and the superintendent shall transmit them to the circuit court of the circuit wherein the land is situated."

SEC. 4. Section 980 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"SEC. 980. *Hearing, decision.*—Said court shall, upon receiving any such appeal from the superintendent of public works, appoint three disinterested persons who shall sit as a board to hear and determine such appeals. They shall have power to determine whether or not the land is deleterious to the public health and whether the improvements of the nature designated in such notice are required, and if such improvements are not required, what, if any, improvements are required in order to render such lands sanitary; such board shall also have power upon any such appeals to determine the amount to be in conformity with the provisions of section 982A, apportioned to and assessed against each lot or parcel for such drains or ditches and for the lands acquired therefor and for all other cost, if any, of such drainage system, and whether or not any lands are improperly included in or excluded from the drainage district. The decision of a majority of the board as to the necessity and nature and extent of the improvements and as to the apportionment of the cost of any drainage system shall

be final and conclusive upon all parties in interest. The board shall appoint a time and place for hearing, first giving reasonable notice thereof to the president of the board of health, the superintendent of public works, and the owner or occupant of the land in question. Service of such notice shall be as provided in section 973. As compensation for their services each member of the board shall be entitled to receive \$5 for each day of actual service."

SEC. 5. Section 981 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"SEC. 981. *Plans, etc.*—The superintendent of public works shall transmit to the board with each appeal the appropriate map or plan (or a copy thereof) of the lands to be improved prepared as aforesaid in accordance with the requirements of section 976A, and shall also transmit to the board with each appeal a statement of the matters and things required as aforesaid by section 976A to be noted upon or to accompany said map."

SEC. 6. A new section is hereby added to the Revised Laws of Hawaii, 1915, to be known as section 981A, and to read as follows:

"SEC. 981A. *Entry upon and acquisition of land.*—The superintendent of public works shall have power to enter upon all lands on the routes of such proposed drains or ditches for the purpose of examining, surveying, and laying out the route thereof, and upon all lands proposed to be included in any such drainage district for the purpose of determining whether the same or any portion thereof shall be included in such district, and to institute and conduct proceedings for the condemnation of all lands declared by him when his order is not appealed from or by the aforesaid board on appeal, to be necessary for rights of way for such drains or ditches. In acquiring any such lands the method pursued shall be as prescribed in chapter 48 of the Revised Laws of Hawaii, 1915: *Provided, however,* That in acquiring by condemnation proceedings any land situated within such drainage district the award of compensation therefor shall be without deduction for any benefits accruing to the remainder of the lot or parcel by reason of the construction of such improvement.

"Any lands acquired by condemnation as aforesaid for rights of way for drains or ditches shall be paid for out of any funds available for the improvement of any lands under this chapter."

SEC. 7. A new section is hereby added to the Revised Laws of Hawaii, 1915, to be known as section 982A, and to read as follows:

"SEC. 982A. *Cost of improvement; how apportioned.*—The cost of the improvements made or completed by the superintendent of public works shall be apportioned as follows:

"1. The cost of filling any lot or parcel shall be borne by such lot or parcel;

"2. The cost of any drainage system, including the cost of drains or ditches, damages for property taken for the same, and other expenses, if any, shall be apportioned among all the lots or parcels in the drainage district in proportion to their respective areas."

SEC. 8. Section 983 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"SEC. 983. *Lien.*—The cost of the improvements made or completed by the superintendent of public works as determined and apportioned pursuant to the provisions of this chapter shall constitute a lien upon the land improved, which lien shall have priority over all other liens."

SEC. 9. Section 987 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"SEC. 987. *Appropriation.*—There is appropriated out of the general revenues the sum of \$300,000 to be used for the purpose of carrying out the provisions of this chapter, and for the purpose of improving lands in government ownership which are low, in-

sanitary, and dangerous to public health, which sum shall be set aside in the treasury of the Territory as a special fund for use for such purposes, and all moneys withdrawn from such fund shall be reimbursed or restored thereto so far as may be out of any moneys repaid or collected under the provisions of this chapter."

**Nuisances—Abatement of. (Act 96, Apr. 16, 1915.)**

**SECTION 1.** Section 930 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

"Sec. 930. The board of health and its agents shall examine into all nuisances, foul or noxious odors, gases or vapors, water in which mosquito larvæ breed, sources of filth, and all causes of sickness or disease, on shore, and in any vessel, which may be known to them or brought to their attention, which in their opinion are dangerous or injurious to health, and into any and all conditions created or existing which cause or tend to cause sickness or disease or be dangerous or injurious to health, and shall cause the same to be abated, destroyed, removed, or prevented."

**Sec. 2.** A new section is hereby added to the Revised Laws of Hawaii, 1915, to be known as section 931a, said section to read as follows:

"Sec. 931a. To enable the board of health to carry out the provisions of chapter 66 of the Revised Laws of Hawaii, 1915, the sum of \$1,000 is hereby appropriated as a special fund to be deposited in the Territorial treasury and to be a continual deposit, subject to the control of the board of health through its president, to be used from time to time in removing 'any such nuisance, foul or noxious odors, gases or vapors, water in which mosquito larvæ breed, sources of filth, or cause of sickness or disease' as contemplated or required by this chapter. All moneys withdrawn from such fund for such purposes shall be reimbursed or restored thereto so far as may be out of any moneys repaid or collected under the provisions of this chapter and shall then be available for further use."

**Advertisements—False or Fraudulent, Prohibited. (Act 124, Apr. 20, 1915.)**

**SECTION 1.** If any person, firm, corporation, or association, or any employee thereof, in a newspaper, circular, form letter, or other publication published, distributed, or circulated in this Territory, or on any bill board, sign, card, label, or other advertising medium displayed on, in, or near a street, electric car, automobile, auto truck, wagon, carriage, motorcycle, bicycle, show case, store, or other place in this Territory knowingly makes or disseminates, or causes to be made or disseminated, any statement or assertion of fact concerning the quantity, the quality, the method of production or manufacture, the cost of production, the cost to the advertiser or vendor, the present or former price, present or prospective value or the former, present or prospective earning power, or the reason for the price of such merchandise, shares of stock, bonds, mortgages, notes, copartnership units, or service offered for sale or advertised by such person, firm, corporation, or association, or concerning the manner or source of production or purchase, or the possession or rewards, prizes or distinctions conferred on account of the purchase or possession of such merchandise, shares of stock, bonds, mortgages, notes, copartnership units, or service, which statement or assertion has the appearance of an offer advantageous to the purchaser, and is untrue or calculated to mislead, the person or corporation or firm, or the member or members of a firm, or directors of a corporation, or directors or trustees of an association, causing such statement or assertion to be made or disseminated, also the employee or agent making or disseminating such statement or assertion, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be liable to a fine of not less than \$10 nor more than \$500, or imprisonment for not more than one year, or both such fine and imprisonment for each and every offense.

**Sanitary Code—Commission Appointed to Compile. (Act 178, Apr. 26, 1915.)**

**SECTION 1.** A commission of five persons, who shall serve without pay, to be designated as the Sanitary Code Commission, and who shall be appointed by the governor in the manner prescribed in section 80 of the organic act, is hereby constituted and authorized to compile the sanitary code of the Territory of Hawaii for the promotion and protection of the public health, preservation of life, and suppression and prevention of contagious and infectious diseases, embracing therein all matters and subjects to which, and so far as, the powers and authority of the Territorial board of health and of health departments of any municipal or county government of the Territory now extends, or to which such powers and authority may hereafter be extended.

**SEC. 2.** Said sanitary code shall be submitted to the governor not later than January 1, 1917, and presented by him to the legislature of 1917.

## **IDAHO.**

### **Measles—Notification of Cases—Placarding—Quarantine—Disinfection—Burial. (Reg. Bd. of H., Apr. 1, 1915.)**

**RULE 24.** 1. All cases of measles must be immediately reported to the local health authorities.

2. The front and rear entrances of the premises must be placarded with a red warning card.

3. The patient must be isolated for at least 14 days after the beginning of the disease, or until all infectious discharges have ceased. Visitors are prohibited. Susceptible children of the family must be confined to the premises, but may be permitted the freedom of an inclosed yard in which they do not come in contact with other children.

4. The patient must be excluded from the schools and places of public gathering for at least three weeks from the onset of the disease. Susceptible children of the family must be excluded for at least 18 days from date of last exposure.

5. The sale of milk and foodstuffs from infected premises is prohibited.

6. Before isolation is raised the patient must be given a disinfecting bath, and a complete change of clothing must be made.

7. Public funerals are prohibited. However, adults and nonsusceptible children may follow the remains to the grave provided they do not enter the carriages occupied by persons who have been in the infected building.

### **Whooping Cough—Placarding—School Attendance. (Reg. Bd. of H., Apr. 1, 1915.)**

**RULE 19.** All cases of whooping cough shall be placarded (according to rule 10) for a period of six weeks after the last case appears in a family. Children living in a house where the disease exists who have had the disease may attend school upon the parent making affidavit to that effect upon blanks furnished by the health officer. Children who have not had the disease must not attend school.

In whooping cough the board of health may enforce the same quarantine and other preventive measures as are provided for in case of scarlet fever.

### **Habit-Forming Drugs—Regulation of the Sale and Dispensing of. (Act Mar. 10, 1915.)**

**SECTION 1.** It shall be unlawful to sell, to manufacture for sale, to transport for sale, to furnish or give to any person or persons within the State of Idaho any cocaine, alpha or beta uaine, opium, morphine, heroin, chloral hydrate, or any salt or compound of any of the foregoing substances, or any preparation or compound containing any of the foregoing substances, or their salts or compounds, otherwise than as in this act specifically provided.

**SEC. 2.** It shall be lawful for wholesalers, manufacturers, and jobbers to sell the articles named in section 1 of this act to each other, or to regularly licensed retail druggists.

It shall be lawful for duly licensed retail druggists to sell the articles named in section 1 of this act to a regularly licensed and practicing physician, dentist, or veterinary surgeon, or, when the same enter into or form part of a written prescription duly made, dated and signed by a regularly licensed and practicing physician to the person

presenting such prescription, according to the terms thereof and not otherwise: *Provided*, That all such prescriptions shall be kept on file by the retail druggist who fills them for a period of one year, and that no such prescription shall be refilled except on the written order of the physician making it. No copy or duplicate of any such prescription shall be made or delivered to any person.

It shall be lawful for a duly licensed physician, dentist, or veterinary surgeon to furnish or administer any of the articles named in section 1 of this act to or for any patient under his immediate care or treatment, but to none other.

It shall be lawful for wholesalers, manufacturers, or jobbers of articles mentioned in section 1 of this act, or for regularly licensed retail druggists to sell the same to hospitals, colleges, or scientific institutions upon the certificate of the head of such hospitals, colleges, or institutions, or of a licensed physician connected therewith, that the same are desired for medical or scientific purposes.

It shall be lawful for a regularly licensed druggist to sell proprietary preparations containing not more than four-tenths of 1 per cent of opium, or not more than one-eighth grain of morphine, or not more than one-eighth grain of heroin, or not more than 10 grains of chloral hydrate in 1 fluid ounce, or if a solid preparation, in 1 avoirdupois ounce, when the label on any such preparation shall show clearly the percentages of such articles contained therein.

SEC. 3. Any dealing in, furnishing, or giving away of any of the articles mentioned in section 1 of this act in any manner not specifically recognized as lawful by section 2 of this act shall constitute a felony which shall be punished upon conviction by imprisonment in the State penitentiary for not less than 3 nor more than 10 years.

SEC. 4. Any person who shall obtain for his own use, or otherwise any of the articles mentioned in section 1 of this act, except in the manner recognized as lawful by section 2 of this act, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than \$100 and not more than \$250, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment.

SEC. 5. Pharmacists, retail druggists, physicians, druggists or veterinary surgeons who shall furnish any of the articles mentioned in section 1 of this act to any person when the same is not in the due, lawful, and regular course of trade, or the practice of his profession, shall, upon conviction, be fined in a sum not exceeding \$500, and shall forever thereafter be ineligible to secure a license to practice within this State.

SEC. 6. It is the intent and purpose of this act to make any dealing in, furnishing, or giving away of the articles mentioned in section 1 of this act *prima facie* unlawful, and whenever any of such articles are found in the possession of any person, proof of such possession shall be *prima facie* evidence of a violation of section 4 of this act, and it shall then be incumbent upon such person to show that the same was lawfully acquired.

SEC. 7. That "An act to amend chapter 21, title 8, of the Political Code, Revised Codes of Idaho, by adding thereto sections 1400a, 1400b, 1400c, and 1400d, etc.," approved March 13, 1909, and all other acts or parts of acts in conflict herewith are hereby repealed.

[This act became effective May 8, 1915.]

#### **Privies and Toilets—Construction of. Manure—Care of. (Reg. Bd. of H., Oct. 5, 1915.)**

**RULE 35.** All privies, toilets, and outhouses used for depositing human excreta must be made flyproof and protected as follows:

1. The roof shall be water-tight.
2. The house shall be without cracks through which flies may enter.
3. The door shall fit closely and be self-closing.
4. The openings on seats shall have hinged coverings.

5. The vault, whether pit, box, or tank, tub, pail, or other receptacle, shall be securely protected against flies.

6. All openings for ventilation, etc., shall be screened with wire netting.

Every person, whether as owner, tenant, employer, or agent, being in charge of any stable, barn, or other place where horses, mules, cows, or other live stock is [sic] kept shall at all times keep and maintain in or adjacent to said stable, barn, or other place a receptacle or box of sufficient dimensions to hold and contain all manure from said live stock; said receptacle or box shall be so constructed as to prevent any of the contents filtering through the bottom or sides and shall be covered with a fly-tight lid, which lid shall be kept closed at all times, except when it is necessary to open same to deposit or remove the manure from said receptacle or box.

The provisions of this regulation shall not apply to stables or places from which manure is removed each day.

The State sanitary inspector, county and local health officers will strictly enforce this regulation.

## ILLINOIS.

### Ophthalmia Neonatorum—Notification of Cases—Prevention of. (Act June 24, 1915.)

SECTION 1. That any diseased condition of the eye, or eyes of any infant in which there is any inflammation, swelling, or redness in either one or both eyes of any such infant, either apart from or together with any unnatural discharge from the eye or eyes of such infant, at any time within two weeks after the birth of such infant, shall, independent of the nature of the infection, be known as ophthalmia neonatorum.

SEC. 2. It shall be the duty of any physician, surgeon, obstetrician, midwife, nurse, maternity home or hospital of any nature, or parent, assisting in any way whatsoever any woman at childbirth, or assisting in any way whatsoever any infant, or the mother of any infant, at any time within two weeks after childbirth, observing or having a reasonable opportunity to observe the condition herein defined, and within six hours thereafter, to report in writing or by telephone, followed by a written report, such fact to the local health authorities of the city, town, village, or other political division, as the case may be, in which the mother of any such infant may reside: *Provided*, That such reports and the records thereof shall be deemed privileged information and shall not be open to the public.

SEC. 3. It shall be the duty of all maternity homes and any and all hospitals or places where women resort for purposes of childbirth to post and keep posted in conspicuous places in their institution copies of this act, and to instruct persons professionally employed in such homes, hospitals, and places regarding their duties under this act, and to maintain such records of cases of ophthalmia neonatorum in the manner and form prescribed by the State board of health.

It shall be the duty of any and all physicians, and midwives to advise, for the prevention of ophthalmia neonatorum, such prophylactic as shall be prescribed by the State board of health, and to inform the parents or guardians of a child as to the dangers and dire consequences of this disease. For the purpose of preventing the development of ophthalmia neonatorum in cases of childbirth attended by midwives, midwives may employ the prophylactic prescribed by the State board of health, provided the consent of the parent or parents or guardian shall first be obtained for the use of such preventive treatment.

SEC. 4. It shall be the duty of the local health officer:

(1) To investigate, insofar as that can be done without entering into the home or interfering with the child in any way without first securing the consent of the parents or guardian of such child, and [sic] each case of ophthalmia neonatorum reported to him in compliance with this law, and any other such case as may come to his attention.

(2) To report all cases of ophthalmia neonatorum and the results of all such investigations as he may make to the State board of health in the manner and form prescribed by said board.

SEC. 5. It shall be the duty of the State board of health:

(1) To enforce the provisions of this act.

(2) To provide for the gratuitous distribution of a scientific prophylactic for ophthalmia neonatorum, together with proper directions for the use and administration thereof, to all physicians and midwives authorized by law to attend at the birth of any child.



(3) To have printed and published for distribution throughout the State advice and information concerning the dangers of ophthalmia neonatorum and the necessity for the prompt and effective treatment thereof.

(4) To furnish similar advice and information, together with copies of this law, to all physicians, midwives, and others authorized by law to attend at the birth of any child.

(5) To prepare appropriate report blanks and to furnish same to all local health officers for distribution to physicians and midwives free of charge.

(6) To report any and all violations of this act to the prosecuting attorney of the district wherein said violation may have been committed.

SEC. 6. Any collusion between any official and any person, or between any others herein named, to misstate or conceal any facts which under this act are essential to report correctly any case of ophthalmia neonatorum shall likewise constitute a misdemeanor, and any person upon conviction thereof shall suffer a penalty such as is hereinafter provided.

SEC. 7. It shall be the duty of the State's attorney for the proper district to prosecute for all misdemeanors as herein prescribed.

SEC. 8. Any person violating any of the provisions of this act shall be guilty of a misdemeanor and shall, upon conviction thereof, be fined not less than \$10 nor more than \$100, in the discretion of the court.

SEC. 9. An act for the prevention of blindness, approved June 21, 1895, in force July 1, 1895, is hereby repealed.

**Poliomyelitis—Notification of Cases—Placarding—Quarantine—Removals—Attendance at Schools and Public Gatherings—Disinfection—Burial. (Reg. Bd. of H., Feb. 16, 1915.)**

1. *Reports.*—Every physician, attendant, parent, householder, or other person having knowledge of a known or suspected case of acute anterior poliomyelitis must immediately report the same to the local health authorities.

2. *Placarding.*—Whenever a case of acute anterior poliomyelitis is reported to the local health authorities, they shall affix in a conspicuous place at each outside entrance of the building, house, or flat, as the case may be, a red warning card not less than 10 by 15 inches in size, on which shall be printed in black, with bold-face type, at least the following: "Poliomyelitis" in type not less than 3 inches in height, followed by the words, "Infantile Paralysis" in parentheses, printed in similar type not less than 1 inch in height, and "Keep Out" in similar type not less than 2 inches in height. Defacement of such placards or their removal by any other than the local health authorities or the duly authorized representative of the State board of health is strictly prohibited.

3. *Quarantine of patient.*—The patient should be confined for five weeks to one well-ventilated room, screened against flies and other insects, and as remote as possible from other occupied rooms.

4. *Quarantine of exposures.*—The children of the family must be kept in the house, or, if there is an inclosed yard, they may be permitted the freedom of the same, provided that they do not come in contact with other children.

Adult members of the family, not employed as school-teachers, food handlers, or milkmen, may go about their usual business.

5. *Precautions.*—No person, except the necessary attendant, the physician, and the health officer, may be permitted to come in contact with the patient. Such persons must not handle or prepare food for others, and their intercourse with other members of the household must be as restricted as possible.

6. *Exclusion from the schools and places of public gathering.*—Other children from the infected family must be excluded from school, Sunday school, churches, theaters, picture shows, and other places of public gathering during the period of quarantine.

7. *Removals.*—No person affected with acute anterior poliomyelitis shall be removed from the premises upon which he is found unless consent to such removal be first obtained from the local health authorities or the State board of health, and then only after strict compliance with the provisions of these rules. Under no circumstances shall permission be granted for the removal of any patient or article from the infected premises to any premises upon which milk or other foodstuffs are produced, sold, or handled.

No person affected with acute anterior poliomyelitis shall be removed from any city, village, township, or county in which he is found unless consent to such removal be first obtained from the State board of health,

8. *Sale of milk and other foodstuffs from infected premises prohibited.*—Whenever a case of acute anterior poliomyelitis shall occur on any premises where milk or other foodstuffs are either produced, handled, or sold, the sale, exchange, or distribution on such premises in any manner whatsoever, or the removal from the infected premises of milk, cream, any milk products or other foodstuffs until the case has been terminated by removal, recovery, or death, and the premises and contents and all utensils have been thoroughly disinfected under the supervision of the local health authorities, is prohibited: *Provided*, That in the event of acute anterior poliomyelitis occurring on a dairy farm, the live stock only may be removed to some other premises and the milking done and milk cared for and sold from such other premises by persons other than those of the household of the person so affected, upon obtaining permission to do so from the local health authorities or the State board of health.

Whenever a case of acute anterior poliomyelitis shall occur on premises connected with any store, such store shall be quarantined until the case has been terminated by removal, recovery, or death, and the premises are thoroughly disinfected: *Provided, however*, That if the premises are so constructed that the part in which the case exists can be and is effectively sealed, under the supervision of the local health authorities, from the store: *And provided further*, That the employees and all other persons connected with the store do not enter the part of the premises where the case exists and do not come in contact with the patients, his attendant, or any article whatsoever from the quarantined premises, the store attached to the quarantined premises need not be closed.

9. *Deliveries of milk, groceries, and other necessities.*—Milk, foodstuffs, and other necessities may be delivered at the quarantined premises, but there must be no contact between the patient or attendant and the delivery agent. Whenever practicable milk must be delivered in bottles. When milk can not be delivered in bottles the householder must provide a sterilized container (a freshly scalded bottle or pail) to receive the milk.

No milk bottle, basket, or any other article whatsoever may be taken out of or away from the infected premises during the period of quarantine. Before milk bottles are removed from the premises after quarantine is raised they must be sterilized under the direction of the local health authorities. Mail which has been handled by the patient or attendant must not be taken from the premises during the period of quarantine.

10. *Disinfection.*—All articles taken from the sick room must be disinfected upon removal. Exposure in the open air of carpets, rugs, curtains, bedding, and similar articles from the infected premises for the purpose of airing, shaking, beating, or sunning is strictly prohibited, unless, in the opinion of the local health authorities, such may be done without danger of the spread of the diseases [sic].

Books, toys, and other similar articles used to amuse the patients are best disposed of by burning. Under no circumstances should borrowed toys or books be returned. Library and schoolbooks must not be returned; they must be burned.

Bed and body linen which has been in contact with the patient and handkerchiefs or cloths which have been used to receive discharges from the patient must be im-

mersed for not less than two hours in an approved disinfectant before removal from the sick room, and after removal should be boiled.

No article of clothing, or other article, may be removed from the infected premises to a laundry or other place for washing unless previously disinfected by immersion for not less than two hours in an approved disinfectant and the approval of the local health authorities has been obtained.

House animals, such as cats, dogs, or any other household pets, must be strictly excluded from the infected building, house, or flat, as the case may be, during the entire period of quarantine. Any such animals which have been in contact with the patient must be subjected to a thorough disinfecting bath before removal from the infected building, house, or flat, and must not be permitted to reenter the same. Such animals must be confined in an outbuilding. Dogs and cats running at large should be destroyed.

Before quarantine is raised the infected premises and all articles of furniture and clothing therein must be thoroughly disinfected by or under the supervision of the local health authorities in a manner approved by the State board of health.

Immediately before the disinfection of the premises the patient must be given an antiseptic bath under the direction of the physician, especial attention being paid to the disinfection of the hair and scalp. (An appropriate antiseptic bath may be prepared by dissolving two bichloride tablets in every gallon of hot water used. This should be followed by a plain soap and water bath.) After bathing, the patient should be wrapped in a clean sheet, handed from without, step into a room which previously has been disinfected, and there dress in clothing which has been disinfected.

11. *Deaths, burials, and transportation of the dead.*—When the body of anyone dead from acute anterior poliomyelitis is to be transported by railroad or other common carrier, the official rules of the State board of health governing the transportation of the dead must be observed.

In the event of death the body must be wrapped in a sheet thoroughly soaked in an approved disinfectant, and then placed in an air-tight coffin, which must remain in the sick room until removed for burial. The coffin must not be again opened on any pretext whatsoever. Public and church funerals are strictly prohibited. No person whose attendance is not necessary for the conduct of the funeral shall be permitted to enter the premises where the death occurred. Interment must be within 48 hours after death.

Nothing in this rule shall be held to prevent the attendance at the funeral of any adult member of the immediate family who shall have been in attendance upon the deceased and who shall have been exposed to the disease prior to such funeral and whose clothing and person have first been disinfected. Other persons desiring to follow the remains to the grave may do so, provided that they do not enter the premises where the death occurred and do not enter the vehicle occupied by persons who have entered or come from such premises.

Flowers which have been sent to the infected premises must be destroyed by burning immediately upon the removal of the body from the premises. Under no circumstances may they be taken from the premises.

#### **Typhoid Fever—Notification of Cases—Placarding—Quarantine—Precautions—Disinfection—Burial—Typhoid “Carriers.” (Reg. Ed. of H., Feb. 16, 1915.)**

1. *Reports.*—Every physician, attendant, parent, householder, or other person having knowledge of a known or suspected case of typhoid fever or of a person known or suspected to be a “typhoid carrier” must immediately report the same to the local health authorities.

2. *Placarding.*—Whenever a case of typhoid fever is reported to the local health authorities, they shall affix in a conspicuous place at the outside entrance of the build-

ing, house, or flat, as the case may be, where milk and other foodstuffs are received, a red warning card, not less than 11 by 14 inches in size, on which shall be printed in black, with bold-faced type, at least the following: "Typhoid fever here" in type not less than 3½ inches in height, and "remove no milk containers, etc.," in similar type not less than 2½ inches in height.

3. *Quarantine.*—The patient should be confined to one well-ventilated room, screened against flies and other insects, and as remote as possible from other occupied rooms. The room should be stripped of draperies, carpets, upholstery, and all furniture and articles not necessary for the comfort of the occupants. Visitors must not be permitted to enter the sick room or to come in contact with the attendants. Quarantine can be raised only by the local health authorities or by the State board of health.

4. *Other inmates of the infected premises.*—The other inmates of the infected premises, except the attendants, may go about their usual business. The attendants, upon leaving the premises, must take all precautions necessary to prevent the spread of the disease.

5. *Precautions.*—No persons, except the necessary attendants, who, whenever possible, should be persons who have had typhoid fever, should come in contact with the patient. Attendants, who have not had typhoid fever, should, as a wise precaution, be protected by an antityphoid vaccination. Attendants must not prepare or handle food for others than the patient and themselves and their intercourse with the other members of the family must be as restricted as possible. The patient and attendants are strictly prohibited from engaging in any work connected with the drawing, preparing, marketing, or selling of foodstuffs, milk or milk products, including the washing or care of milk utensils or containers of any description.

An ample supply of towels, basins, water, and a standard disinfectant should always be on hand for the disinfection of the hands of the attendants, and attendants should carefully disinfect their hands after each handling of the patient or of articles which may be infective.

Soiled body or bed clothing and handkerchiefs or cloths used to receive discharges from the patient should be immediately disinfected by boiling or by immersion in an approved disinfecting solution.

No article of body or bed clothes, handkerchiefs, or any other article from the sick room shall be taken to a public laundry unless any and all such articles have been properly disinfected by immersion in an approved disinfecting solution and permission shall have been granted by the local health authorities for such removal.

All knives, forks, spoons, glasses, cups, and plates used by the patient or attendants must be immediately disinfected in a similar manner.

All discharges from bowels and bladder must be received in a vessel containing a liberal quantity of an approved disinfectant. Such disinfectant must be continued so long after the recovery of the patient as the intestinal discharges continue to be more copious, liquid, or frequent than natural. Discharges from the mouth and any vomit matter must be completely disinfected before disposed of.

The discharges should never be emptied on the ground or into a stream. After thorough disinfection they may be emptied in the sewerage system, or if no such system exists, as in rural districts, they should be buried at least 1 foot below the surface of the ground and not closer than 150 feet to any well or other source of water supply. If deposited in an outhouse, they must first be disinfected and the contents of the privy vault must be sprinkled daily with crude oil or kerosene, or other approved solution or substance employed for the purpose of repelling flies.

Dogs, cats, and other household pets must be excluded from the infected premises. Any such animals which have been in contact with the patient must be killed or subjected to a thorough disinfecting bath, and must not be permitted to enter the premises while the disease exists.

6. *Deliveries of milk, groceries, and other necessities.*—Milk, foodstuffs, and other necessary supplies may be delivered at the infected premises, but there must be no contact of any kind between the delivery agents and the attendants or patient. Milk may be delivered in bottles only, and such bottles must not be taken from the infected premises during the existence thereon of the disease. Before they are removed from the premises after the death or recovery of the patient they must be sterilized under the direction of the local health authorities.

7. *Sale of milk, groceries, and provisions from infected premises prohibited.*—Whenever a case of typhoid fever exists on any premises where milk, groceries, vegetables, or other foodstuffs are either produced, handled, or sold, the sale, exchange, or distribution in any manner whatsoever, or the removal from the infected premises of any milk, cream, or other milk products, groceries, vegetables, or other foodstuffs is strictly prohibited until the case has terminated by recovery, removal, or death, and the premises, its occupants, and all utensils have been thoroughly disinfected.

A person recovered from typhoid fever will not be permitted to engage in any manner in the handling or preparation of foodstuffs, milk or milk products, including the handling of milk containers until one month after date of recovery and until after the intestinal discharges have ceased to be more copious, liquid, or frequent than normal, or until such time as it has been ascertained that such person is in no danger of spreading the infection.

8. *Warnings and investigations.*—Upon the appearance of several cases of typhoid fever in a community, the development being simultaneous or nearly so, the mayor or village president shall issue a proclamation advising citizens to home paturize all milk and to boil all water before drinking. (Simple instructions for home pasteurization of milk will be furnished in pamphlet form by the State board of health upon request.)

In all such instances the local health authorities shall at once investigate the milk and other food supplies of the infected families with a view of determining the source of infection. If suspicion attaches to the milk or other food supply, and the source of the infection appears to be in territory outside the jurisdiction of the local health authorities, or if the source of infection can not be definitely determined, the State board of health shall be notified immediately.

9. *Removals.*—No person affected with or suspected of being affected with typhoid fever shall be removed from the premises on which he resides when such diagnosis is made or opinion is given, unless consent of the local health authorities to such removal is obtained.

10. *Disinfection.*—Upon the termination of quarantine the sick room and contents must be disinfected. The room must be thoroughly aired and all woodwork must be thoroughly scrubbed and the walls cleaned. The body and bed clothing and all articles coming in personal contact with the patient must be disinfected by boiling or by immersion in an approved disinfectant. Grossly soiled articles which can not be disinfected by the usual methods should be burned.

11. *Deaths and burials.*—In the event of death the body must be wrapped in a sheet thoroughly soaked in an approved disinfectant and then placed in an air-tight coffin. The casket or coffin must not be opened in the presence of the public.

12. *Typhoid "carriers."*—Any person known to be or suspected of being a typhoid "carrier," and therefore capable of spreading typhoid infection shall be treated as a typhoid patient, even though to all outward appearances such person may appear to be well, and shall be subject to the rules governing typhoid fever cases: *Provided, however,* That in order to meet conditions peculiar to individual cases the State board of health, upon its own initiative or upon recommendation of the local health authorities, may modify or relax these rules.

**Chicken-Pox—Notification of Cases—Placarding—Quarantine—Disinfection—School Attendance. (Reg. Bd. of H., Feb. 16, 1915.)**

1. *Reports.*—Every physician, attendant, parent, householder, or other person having knowledge of a known or suspected case of chicken pox must immediately report the same to the local health authorities.

2. *Placarding.*—Whenever a case of chicken pox is reported to the local health authorities, they shall affix in a conspicuous place at each outside entrance of the building, house, or flat, as the case may be, a red warning card not less than 10 by 15 inches in size, on which shall be printed in black, with bold-face type, at least the following "Chicken pox" in type not less than  $3\frac{1}{4}$  inches in height, and "Keep out" in similar type not less than  $2\frac{1}{4}$  inches in height. Defacement of such placards or their removal by any other than the local health authorities or by the duly authorized representative of the State board of health is strictly prohibited. (In view of the frequent mistakes in diagnosis when the mild type of small pox is prevalent placarding of chicken pox cases is deemed necessary, and it will be adopted as a wise precaution by communities desiring to give their citizens the fullest measure of protection.)

3. *Quarantine.*—The patient shall be confined to the quarantined building, house, or flat for two weeks, or until scaling is completed and the skin is smooth. All other children in the family who have not had the chicken pox and who continue to reside on the infected premises must be confined to the building, house, or flat for two weeks from date of last exposure. Susceptible children removed from the infected premises must be confined to the premises to which removed for a period of two weeks following date of such removal.

4. *Exclusion from schools.*—All susceptible children in the family must be excluded from school for two weeks from date of last exposure. Children in the family who have had chicken pox may attend school upon a physician's certificate that, to his personal knowledge, they have had the disease, providing they do not come in contact with the patient.

5. *Disinfection.*—Upon termination of quarantine the patient must be given a thorough bath and a complete change of clothing before going out. Scales and scabs should be burned as they peel off. All bedding, handkerchiefs, clothing, and other things coming in contact with the patient should be disinfected by boiling thoroughly, or by placing in a 5 per cent solution of carbolic acid, or in a solution of bichloride of mercury, and allowing them to soak for three hours or longer.

6. *Visitors.*—There must be no contact permitted between the patient and adult visitors. Visiting of children to the infected premises is strictly prohibited.

**Whooping Cough—Notification of Cases—Placarding—Quarantine—Disinfection—School Attendance. (Reg. Bd. of H., Feb. 16, 1915.)**

1. *Reports.*—Every physician, attendant, parent, householder, or other person having knowledge of a known or suspected case of whooping cough must immediately report the same to the local health authorities.

2. *Placarding.*—Whenever a case of whooping cough is reported to the local health authorities, they shall affix in a conspicuous place at each outside entrance of the building, house, or flat, as the case may be, a red warning card not less than 10 by 15 inches in size, on which shall be printed in black, with bold-face type, at least the following "Whooping cough" in type not less than  $3\frac{1}{4}$  inches in height, and "Keep out" in similar type not less than  $2\frac{1}{4}$  inches in height. Defacement of such placards or their removal by any other than the local health authorities or by the duly authorized representative of the State board of health is strictly prohibited.

3. *Quarantine.*—The period of quarantine shall be eight weeks from date of first "whoop," or until one week after the characteristic whoop has disappeared. The

patient must be kept in the house, or, if there is an inclosed yard, he may be permitted the freedom of the same provided that he does not come in contact with other children.

Other children in the family who have not had whooping cough and who continue to reside on the infected premises must be excluded from all places of public gathering for two weeks from date of last exposure.

Adult members of the family may go about their usual business.

4. *Exclusion from school.*—Children from families in which whooping cough exists must be excluded from the schools unless they present a physician's certificate to the effect that, to the personal knowledge of the physician, they have had the disease.

Children who have not had the disease and who have been removed from the infected premises must be excluded from school for two weeks following such removal.

5. *Disinfection.*—The quarantined premises need not be disinfected upon the termination of quarantine. However, free airing, scrubbing, and washing of premises, clothing, and contents of premises is recommended as a wise precaution.

6. *Visitors.*—There must be no contact permitted between the patient and visitors. Visiting of children is strictly prohibited.

7. *Deaths and burials.*—Attendance of susceptible children at funerals of those dead from whooping cough is strictly prohibited.

**Scarlet Fever—Notification of Cases—Placarding—Quarantine—School Attendance—Disinfection—Burial. (Reg. Bd. of H., Feb. 16, 1915.)**

1. *Reports.*—Every physician, attendant, parent, householder, or other person having knowledge of a known or suspected case of scarlet fever (scarlatina, scarlet rash) must immediately report the same to the local health authorities.

All local health authorities upon being advised of a case of scarlet fever must immediately report the same to the State board of health on the form provided for that purpose.

2. *Placarding.*—Whenever a case of scarlet fever (scarlatina, scarlet rash) is reported to the local health authorities, they shall affix in a conspicuous place at each outside entrance of the building, house, or flat, as the case may be, a red card not less than 10 by 15 inches in size, on which shall be printed in black, with boldface type, at least the following: "Scarlet fever" in type not less than 3½ inches in height, and "Keep out" in similar type not less than 2½ inches in height. Defacement of such placards or their removal by any other than the local health authorities or the duly authorized representatives of the State board of health is strictly prohibited.

3. *Quarantine of patient.*—All cases of scarlet fever (scarlatina, scarlet rash) must be quarantined for at least five weeks. Quarantine must not be raised, however, until desquamation (peeling) and all infectious discharges from nose and ears have entirely ceased and the acute inflammation of the tonsils has disappeared, and the premises have been thoroughly disinfected by or under the supervision of the health officer. All persons continuing to reside on the infected premises shall be confined to the infected building, house, or apartment until quarantine has been raised, excepting as hereinafter provided.

No one but the necessary attendant, the physician, the health officer, and the representative of the State board of health may be permitted to enter or leave the infected premises. Upon leaving they must take all precautions necessary to prevent the spread of the disease. The nursing attendant may leave the premises only in cases of absolute necessity.

An ample supply of towels, basins, water, and an approved disinfectant must always be on hand for the disinfection of the hands of the attendants.

4. *Quarantine of exposures.*—Adult members of the family may be removed from the infected premises upon permission granted by the health officer, and after thorough disinfection of person and clothing, provided that they do not again enter the infected

premises or come in contact in any way with patient or attendant, such adults, excepting school teachers, may go about their necessary business. School teachers, so removed, must not return to their schools until one week after such removal.

Children who previously have had the disease, such fact being certified to by the physician who attended the case, may be removed from the infected premises upon permission granted by the local health officer, and after careful disinfection of person and clothing, and provided that they do not again enter the infected premises or come in contact in any way with patient or attendant, they need not be quarantined.

Children of a family in which a case of scarlet fever exists, and who have not had the disease may be removed from the infected premises upon permission granted by the health officer, after thorough disinfection of person and clothing. Such children may be removed only to premises upon which none but adults and nonsusceptible children reside, and must be confined to the premises (in the house) for one week from date of removal, during which period they must be kept under close observation, and no children shall be permitted to visit or otherwise come in contact with them during this period. They must not return to the infected premises or come in contact in any way with the patient or attendant, until quarantine has been terminated.

All children who have not had the disease who continue to reside on the infected premises must be held under close observation for at least one week following termination of the last case on the premises.

5. *Removals.*—No person, patient or exposure, and no article of any kind whatsoever, shall be removed from premises upon which a case of scarlet fever has been found, unless consent to such removal be first obtained from the local health authorities of the State board of health, and then only after strictly complying with the provisions of these rules. Under no circumstances shall permission be granted for removal of any person or article from premises upon which a case of scarlet fever has been found to any premises upon which milk or other foodstuffs are produced, sold, or handled, until quarantine has been properly terminated, and then only upon permission of the local health authorities or the State board of health.

No person affected with or exposed to scarlet fever shall be removed from any city, village, township, or county in which he is found unless consent to such removal be first obtained from the State board of health.

6. *Exclusion from the schools.*—All children who continue to reside on the infected premises must be excluded from the schools during the period of quarantine and for at least one week following date of raising of quarantine.

Nonsusceptible children, immune because of a previous attack of the disease, and who have been removed from the infected premises, may be permitted to attend school provided that a physician certifies that he has personal knowledge that they have had scarlet fever, and provided that their persons and clothing have been thoroughly disinfected upon removal from the infected premises.

All susceptible children who have been exposed to the disease who have been removed from the infected premises, in accordance with the provisions of rule 4, must be excluded from the schools for at least one week from date of last exposure.

The patient must be excluded from the schools for at least one week after quarantine is raised.

School teachers and other persons employed in or about a school building, who have been exposed to scarlet fever must be excluded from the school building and grounds for a period of one week following date of last exposure and until persons and clothing have been thoroughly disinfected.

7. *Sale of milk and other foodstuffs from infected premises prohibited.*—Whenever a case of scarlet fever (scarlatina, scarlet rash) shall occur on any premises where milk or other foodstuffs is either produced, handled, or sold, the sale, exchange, or distribution in any manner whatsoever, or the removal from the infected premises of milk, cream, any milk products or other foodstuffs until the case has been terminated by



removal, recovery, or death, and the premises and contents and all utensils are thoroughly disinfected under the supervision of the local health authorities, is prohibited: *Provided*, That in the event of scarlet fever occurring on a dairy farm, the live stock only may be removed to some other premises and the milking done and milk cared for and sold from such other premises by persons other than those of the household of the person so affected, upon obtaining permission to do so from the local health authorities or the State board of health.

Whenever a case of scarlet fever (scarlatina, scarlet rash) shall occur on premises connected with any store, such store shall be quarantined until the case is terminated by removal, recovery, or death, and the premises are thoroughly disinfected, unless the premises are so constructed that that part in which the case exists can be and is effectively sealed, under the supervision of the local health authorities, from the store and unless the employees and all other persons connected with the store do not enter that part of the premises where the case exists and do not come in contact with the patient, his attendant, or any article whatsoever from the quarantined premises.

8. *Deliveries of milk, groceries, and other necessities.*—Milk, foodstuffs, and other necessary supplies may be delivered at quarantined premises, but there must be no contact of any kind between inmates of the quarantined premises and the delivery agents. Wherever practicable milk must be delivered in bottles. Where milk can not be delivered in bottles the householder must place a thoroughly sterile container (a freshly scalded bottle or pail) to receive the milk at some convenient place outside the house, out of reach of dogs or cats. The milkman shall place the milk therein without handling the receiving container. No milk bottle, basket, or any other article whatsoever may be taken out of or away from the infected premises during the period of quarantine. Before milk bottles are removed from the premises after quarantine is raised they must be sterilized under the direction of the local health authorities. Mail must not be taken from the quarantined premises during the period of quarantine.

9. *Disinfection.*—All articles taken from the sick room must be disinfected upon removal. Exposure in the open air of carpets, rugs, curtains, bedding, and similar articles from the infected premises for the purpose of airing, shaking, beating, or sunning is strictly prohibited, unless in the opinion of the local health authorities such may be done without danger of the spread of the disease.

Books, toys, and other similar articles used to amuse the patient are best disposed of by burning. Under no circumstances should borrowed toys or books be returned. Library and school books must not be returned; they must be burned.

Bed and body linen which has been in contact with the patient and handkerchiefs or cloths which have been used to receive discharges from the patient must be immersed for not less than two hours in an approved disinfectant before removal from the sick room, and after removal should be boiled.

No article of clothing or other article may be removed from the infected premises to a laundry or other place for washing unless previously disinfected by immersion for not less than two hours in an approved disinfectant and the approval of the local health authorities has been obtained.

House animals, such as cats, dogs, or any other household pets, must be strictly excluded from the infected building, house, or flat during the entire period of quarantine. Any such animals which have been in contact with the patient must be subjected to a thorough disinfecting bath before removal from the infected building, house, or flat and must not be permitted to reenter the same. Such animals must then be confined in an outbuilding. Dogs and cats running at large should be destroyed.

Before quarantine is raised the infected premises and all articles of furniture and clothing therein must be thoroughly disinfected by or under the supervision of the local health authorities in a manner approved by the State board of health.

Immediately before disinfection of the premises the patient must be given an antiseptic bath under the direction of the physician, especial attention being paid to the disinfection of the hair and scalp. (An appropriate antiseptic bath may be prepared by dissolving two bichloride of mercury tablets in every gallon of hot water used. This should be followed by a plain soap and water bath.) After bathing the patient should be wrapped in a clean sheet handed from without, step into a non-infected room, and dress in clothing which has been disinfected.

10. *Deaths and burials.*—In the event of death the body must be wrapped in a sheet thoroughly soaked in an approved disinfectant and then placed in an air-tight coffin, which must remain in the sick room until removed for burial. The coffin must not be again opened on any pretext whatsoever. Public and church funerals are strictly prohibited. No person whose attendance is not necessary for the conduct of the funeral shall be permitted to enter the premises where the death occurred. Interment must be within 48 hours after death.

Nothing in this rule shall be held to prevent the attendance at the funeral of any adult member of the immediate family who shall have been in attendance upon the deceased and who shall have been exposed to the disease prior to such funeral and whose clothing and person have first been disinfected. Other persons desiring to follow the remains to the grave may do so, provided that they do not enter the premises where the death occurred and do not enter the vehicles occupied by persons who have entered or come from such premises.

Flowers which have been sent to the infected premises must be destroyed by burning immediately upon the removal of the body from the premises. Under no circumstances may they be taken from the infected premises.

When the body of anyone dead from scarlet fever (scarlatina, scarlet rash) is to be transported by railroad or by other common carrier, the official rules of the Illinois State Board of Health for the transportation of the dead must be observed.

**Diphtheria—Notification of Cases—Placarding—Quarantine—Removal of Patients—School Attendance—Disinfection—Burial. (Reg. Bd. of H., Feb. 16, 1915.)**

1. *Reports.*—Every physician, attendant, parent, householder, or other person having knowledge of a known or suspected case of diphtheria (membranous croup, diphtheritic croup) must immediately report the same to the local health authorities.

All local health authorities, upon being advised of a case of diphtheria (membranous croup, diphtheritic croup), must immediately report the same to the State board of health on the form provided for that purpose.

2. *Placarding.*—Whenever a case of diphtheria (membranous croup, diphtheritic croup) is reported to the local health authorities, they shall affix at the outside of all entrances of the building, house, or flat, as the case may be, a red warning card not less than 10 by 15 inches in size, on which shall be printed in black with bold-face type at least the following: "Diphtheria," in type not less than 3½ inches in height, and "Keep out," in similar type not less than 2½ inches in height.

Premises upon which diphtheria carriers reside shall be placarded in manner as above set forth with a white card printed in type of the prescribed kind and size, reading "Diphtheria carrier," "Keep out."

Defacement of such placards or their removal by any other than the local health authorities, or the duty authorized representative of the State board of health, is strictly prohibited.

3. *Quarantine.*—In cases of diphtheria (membranous croup, diphtheritic croup) quarantine must be maintained for a minimum period of two weeks, or until the patient, contacts, and inmates of the infected premises yield negative cultures from nose and throat—two negative cultures on successive days from the patient, and one negative culture from contacts and other inmates of the premises, following recovery of the patient. (See note on laboratory examinations.)

Quarantine may be terminated only by the local health authorities or by a duly authorized representative of the State board of health.

The patient and all persons residing in the infected building, house, or flat, as the case may be, must be confined to the building, house, or flat where the case exists, excepting as hereinafter provided.

The patient and attendant must be isolated in a well-ventilated room, screened from flies, and as remote as possible from other occupied rooms. Arrangements should be made to supply them with food and other necessities without it being necessary for the attendant to leave or for other persons to enter the sick room. All articles which must be taken from the sick room must be thoroughly disinfected immediately upon removal.

No one but the necessary attendant, the physician, the health officer, and the representative of the State board of health may be permitted to enter the infected premises. Upon leaving they must take all precautions necessary to prevent the spread of the disease. Attendants must not leave the infected premises until they have obtained the permission of the local health authorities, such permission to be granted only when absolutely necessary. An ample supply of towels, basins, water, and an approved disinfectant should always be on hand for the disinfection of the hands of the attendants.

Adults who continue to reside in the infected premises must be quarantined. They may be removed therefrom only upon permission granted by the local health authorities and after thorough disinfection of person and clothing. Whenever possible cultures should be taken from nose and throat, examined and reported upon prior to granting permission for removal. Adults, excepting school-teachers and other persons employed in or about a school building, removed from infected premises, may go about their usual business, providing they do not again enter the infected premises, or come in contact in any way with patient or attendant, or with any article from such premises during the period of quarantine.

School-teachers and other persons employed in or about a school building may likewise be removed from infected premises, but they must not return to school until after a negative culture has been obtained from nose and throat.

Children continuing to reside on the infected premises must be confined to the building, house, or flat, as the case may be, until quarantine has been raised by the health authorities, and thereafter should not be permitted to mingle with well children until a negative culture has been obtained from nose and throat.

Children showing no clinical evidence of diphtheria may be removed from infected premises upon permission granted by the health officer and after thorough disinfection of person and clothing. Such children may only be removed to premises upon which none but adults reside, unless a negative culture has been obtained immediately prior to such removal. Children so removed, who have not been cultured, must remain within the premises to which removed for a period of seven days following removal.

Children removed from infected premises must not be permitted to reenter such premises or come in contact with the patient or attendant, or with any article from the infected premises until quarantine thereof has been terminated.

Any susceptible child exposed to a case of diphtheria, even though not a member of the family in which a case exists and not residing on the infected premises, should be kept away from all well children for a period of seven days, unless a negative culture has been obtained from the child's nose and throat, following such exposure.

4. *Quarantine of "carriers."*—Persons known to be diphtheria carriers must be placed in quarantine and isolated as far as possible. Children of the family who yield negative cultures and who do not come in contact with the carrier in any way need not be excluded from the schools. Quarantine of diphtheria carriers should be raised when one negative culture from nose and throat of carrier is obtained.

5. *Removals.*—No person, patient or contact, and no article of any kind whatsoever, shall be removed from the premises upon which a case of diphtheria (membranous croup, diphtheritic croup) has been found, unless consent to such removal be first obtained from the local health authorities or the State Board of health. Under no circumstances shall permission be granted for removal of any person or article from premises upon which a case of diphtheria (membranous croup, diphtheritic croup) has been found to any premises upon which milk or other foodstuffs are produced, sold, or handled, until quarantine has been terminated, and then only upon permission of the local health authorities or the State board of health.

No person affected with or exposed to diphtheria (membranous croup, diphtheritic croup) shall be removed from any city, village, township, or county in which he is found unless consent to such removal be first obtained from the State board of health.

6. *Exclusion from the schools and places of public gathering.*—Children recovered from an attack of diphtheria (membranous croup, diphtheritic croup) must be excluded from the schools, Sunday schools, and other places of public gathering for at least one week following termination of quarantine, unless negative cultures have been obtained from nose and throat.

All children who continue to reside on the infected premises must be excluded from the schools during the period of quarantine and one week thereafter, or until negative cultures are obtained from nose and throat.

Children who have been exposed to diphtheria and who do not reside on the infected premises must be excluded from the schools for at least one week from date of last exposure, unless negative cultures from nose and throat are obtained.

School teachers and other persons employed in and about a school building, who have been exposed to diphtheria, must be excluded from the school building or grounds until it has been definitely established that they are not diphtheria carriers, and until persons and clothing have been thoroughly disinfected.

7. *Sale of milk and other foodstuffs from infected premises prohibited.*—Whenever a case of diphtheria (membranous croup, diphtheritic croup) shall occur on any premises where milk or other foodstuffs is either produced, handled, or sold, the sale, exchange, or distribution in any manner whatsoever, or the removal from the infected premises of milk, cream, and milk products or other foodstuffs until the case has terminated, and the premises and contents and all utensils are thoroughly disinfected, under the supervision of the local health authorities, is prohibited: *Provided*, That in the event of diphtheria (membranous croup, diphtheritic croup) occurring on a dairy farm, the live stock only may be removed to some other premises and the milking done and milk cared for and sold from such other premises by persons other than those of the household of the person so affected, upon obtaining permission to do so from the local health authorities or the State board of health.

Whenever a case of diphtheria (membranous croup, diphtheritic croup) shall occur on premises connected with any store, such store shall be quarantined until the case is terminated and the premises are thoroughly disinfected, unless the premises are so constructed that that part in which the case exists can be and is effectively sealed, under the supervision of the local health authorities, from the store, and unless the employees and all other persons connected with the store do not enter that part of the premises where the case exists and do not come in contact with the patient, his attendant, or any article whatsoever from the quarantined premises.

8. *Deliveries of milk, groceries, and other necessities.*—Milk, foodstuffs, and other necessary supplies may be delivered at quarantined premises, but there must be no contact of any kind between inmates of the quarantined premises and the delivery agents. Wherever practicable, milk must be delivered in bottles. Where milk can not be delivered in bottles, the householder must place a thoroughly sterile container (a freshly scalded bottle or pail) to receive the milk at some convenient place outside the house out of reach of dogs or cats. The milkman shall place the milk therein without handling the receiving container. No milk bottle, basket, or any other article

whatsoever may be taken out of or away from the infected premises during the period of quarantine. Before milk bottles are removed from the premises after quarantine is raised, they must be sterilized under the direction of the local health authorities. Mail must not be taken from the quarantined premises during the period of quarantine.

9. *Disinfection*.—All articles taken from the sick room must be disinfected upon removal. Exposure in the open air of carpets, rugs, curtains, bedding, and similar articles from the infected premises for the purpose of airing, shaking, beating, or sunning is strictly prohibited, unless, in the opinion of the local health authorities, such may be done without danger of the spread of the disease.

Books, toys, and other similar articles used to amuse the patient are best disposed of by burning. Under no circumstances should borrowed toys or books be returned. Library and school books must not be returned. They must be burned.

Bed and body linen, which has been in contact with the patient, and handkerchiefs or cloths which have been used to receive discharges from the patient, must be immersed for not less than two hours in an approved disinfectant before removal from the sick room, and after removal should be boiled.

No article of clothing, or other article, may be removed from the infected premises to a laundry or other place for washing, unless it has previously been disinfected by immersion for not less than two hours in an approved disinfectant, and the approval of the local health authorities has been obtained.

Dogs, cats, and other household pets must be excluded from the infected premises during the entire period of quarantine. Any such animals who have been in contact with the patient must be killed or subjected to a thorough disinfecting bath before removal from the infected premises, and must not be permitted to reenter the same until quarantine has been raised and the premises have been disinfected.

10. *Deaths and burials*.—In the event of death, the body must be wrapped in a sheet thoroughly soaked in an approved disinfectant, and then placed in an airtight coffin, which must remain in the sick room until removed for burial. The coffin must not again be opened on any pretext whatsoever. Public and church funerals are prohibited. No person whose attendance is not necessary for the conduct of the funeral shall be permitted to enter the premises where the death occurred. Interment must be made within 48 hours after death.

Nothing in this rule shall be held to prevent the attendance at the funeral of any adult member of the immediate family, who shall have been in attendance upon the deceased and who shall have been exposed to the disease prior to such funeral and whose clothing and person has first been disinfected. Other persons desiring to follow the body to the grave may do so, provided that they do not enter the premises where the death occurred and do not enter the vehicles occupied by persons who have entered or come from such premises.

Flowers which may have been sent to the infected premises must be destroyed by burning immediately upon the removal of the body from the premises. Under no circumstances may they be taken from the infected premises.

When the body of any one dead from diphtheria (membranous croup, diphtheritic croup) is to be transported by railroad or by other common carrier, the official rules of the Illinois State Board of Health for the transportation of the dead must be observed.

**Measles—Notification of Cases—Placarding—Quarantine—Attendance at Public Gatherings—Disinfection—Burial. (Reg. Bd. of H., Feb. 16, 1915.)**

1. *Reports*.—Every physician, attendant, parent, householder or other person having knowledge of a known or suspected case of measles must immediately report the same to the local health authorities.

All local health authorities who have been advised of cases of measles shall report the same to the State board of health on a form provided for that purpose.

2. *Placarding.*—Whenever a case of measles is reported to the local health authorities, they shall affix in a conspicuous place at each outside entrance of the building, house or flat, as the case may be, a red warning card not less than 10 by 15 inches in size, on which shall be printed in black, with boldface type, at least the following: "Measles" in type not less than  $3\frac{1}{4}$  inches in height, and "keep out" in similar type not less than  $2\frac{1}{4}$  inches in height. Defacement of such placards or their removal by any other than the local health authorities or the duly authorized representative of the State board of health is strictly prohibited.

3. *Quarantine.*—The patient should be confined to one well ventilated room, screened against flies and similar insects, and as remote as possible from other occupied rooms. No persons, except the necessary attendants, should come in contact with the patient.

No person affected with measles shall be removed from the premises upon which he resides unless consent to such removal be given by the health authorities.

Children and susceptible adults must not visit the infected premises. Adults who have had the disease may, if necessary, enter the infected premises but they must not enter the sick room or come in contact with the patient or attendant.

Quarantine of patient must be maintained for 14 days after the beginning of the disease and until all infectious discharges from nose, ears, and throat have disappeared and the cough has ceased: *Provided, however,* That if there are no other susceptibles in the family and the patient is free from infectious discharges, the quarantine may be raised by the health officer whenever the patient's temperature has been normal for 48 hours.

Adult members of the family who have had the disease may go about their usual business.

4. *Quarantine of susceptibles.*—Susceptible children of the family may be permitted the freedom of an inclosed yard, if there be one, provided that they do not come in contact with other children, otherwise they must remain in the house for 18 days from date of last exposure. Susceptible adults of the family should avoid mingling with children and should be closely watched for development of the disease.

5. *Exclusion from schools and places of public gathering.*—The patient must be excluded from school, Sunday school, theaters, picture shows, and other places of public or social gathering for at least three weeks from the onset of the disease, and longer if bronchitis, inflammation of the throat or nose, or abscess of the ear is present.

Children of the infected family who have had the disease may be permitted to attend school provided a physician certifies that he has personal knowledge that they have had measles. They must not, however, come in contact with the patient.

Children of the family who have not had the disease and who continue to reside on the infected premises must be excluded from school, Sunday school, theaters, picture shows, and other places of public gathering for at least 18 days from date of last exposure. This exclusion also applies to susceptible teachers.

Children of the family who have not had the disease but who have been removed from the infected premises may be permitted to attend school, Sunday schools, and other public gatherings after 18 days following such removal, provided that they have not developed or do not show symptoms of the disease. School or Sunday school teachers who have been exposed to a case of measles and who have not had the disease must not attend classes until after 18 days from date of last exposure.

6. *Sale of milk and foodstuffs from infected premises.*—The sale of milk and foodstuffs from infected premises is prohibited until such time, as in the opinion of the health authorities, sale may be resumed without danger of spreading the disease.

7. *Disinfection.*—An ample supply of towels, basins, water, and an approved disinfectant should always be on hand for the disinfection of the hands of the attendants.

Soiled body and bed clothing, also handkerchiefs and cloths used to receive discharges from nose and mouth of the patient and of vomit matter should be immedi-

ately disinfected by immersion in an approved disinfecting solution for two hours, and after removal from the sick room should be boiled.

Circulating library books must not be taken into the infected premises. Any such books which may be found upon the premises when the case of measles is discovered shall not be removed therefrom until quarantine has been raised and until such books have been specially and thoroughly disinfected under the supervision of the local health authorities.

Dogs, cats, and other household pets must be excluded from the infected premises. Any such animals which have come in contact with the patient must be subjected to a thorough disinfecting bath and removed from the premises and must not be permitted to reenter the infected premises until quarantine has been raised.

Before quarantine is raised the patient should be given a disinfecting bath (special attention being paid to the disinfection of hair and scalp) and should then be dressed in clothing which has been disinfected.

After the recovery or death of the patient the sick room and contents should be disinfected by thorough scrubbing and long period of airing.

8. *Deaths and burials.*—In the event of death the body must be wrapped in a sheet thoroughly soaked in an approved disinfectant and then placed in an air-tight coffin, which must remain in the sick room until removed for burial. The coffin must not again be opened under any circumstances whatsoever. Interment must be within 48 hours after death. Public funerals are prohibited, although adult members of the family and immediate adult relatives who have had the disease may enter the premises at the time of the funeral. Other adult and nonsusceptible children may follow the remains to the grave provided they do not occupy carriages with adults who have recently left the premises from which the body was removed. Church services are prohibited. Floral offerings must not be removed from the house and must be destroyed by burning after the body has been removed from the house.

When the body of anyone dead from measles is to be transported by railroad or by other common carrier, the official rules of the Illinois State Board of Health for the transportation of the dead must be observed.

**Industrial Diseases—Prevention of, in Factories, Stores, and Workshops. (Act June 29, 1915.)**

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SEC. 8. No employee shall take or be allowed to take food into any room or apartment in any factory, mercantile establishment, mill, or workshop where white lead, arsenic, or other poisonous substances or injurious or noxious fumes, dusts, or gases under harmful conditions are present as the result of the business conducted by such factories, mercantile establishments, mills, or workshops, and notice to this effect shall be posted in each room or apartment. Employees shall not remain in any such room or apartment during the time allowed for meals, and suitable provision shall be made and maintained by the employer, when practicable, for enabling the employees to take their meals elsewhere in such establishment: *Provided, however,* That this section shall not apply to such employees whose presence during meal hours may be necessary for the proper conduct of such business.

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SEC. 10. In every factory, mercantile establishment, mill, or workshop where one or more persons are employed adequate measures shall be taken for securing and maintaining a reasonable and, as far as possible, equable temperature, consistent with the reasonable requirements of the manufacturing process. No unnecessary humidity which would jeopardize the health of employees shall be permitted.

SEC. 11. In every room or apartment of any factory, mercantile establishment, mill, or workshop where one or more persons are employed at least 500 cubic feet of air space shall be provided for each and every person employed therein, and fresh air,

to the amount specified in this act, shall be supplied in such a manner as not to create injurious drafts nor cause the temperature of any such room or apartment to fall materially below the average temperature maintained: *Provided*, Where lights are used which do not consume oxygen, 250 cubic feet of air space shall be deemed sufficient. All rooms or apartments of any factory, mercantile establishment, mill, or workshop having at least 2,000 cubic feet of air space for each and every person employed in each room or apartment, and having outside windows and doors whose area is at least one-eighth of the total floor area, shall not be required to have artificial means of ventilation; but all such rooms or apartments shall be properly aired before beginning work for the day and during the meal hours. All such rooms or apartments having less than 2,000 cubic feet of air space, but more than 500 cubic feet of air space, for each and every person employed therein, and which have outside windows and doors whose area is at least one-eighth of the floor area, shall be provided with artificial means of ventilation, which shall be in operation when the outside temperature requires the windows to be kept closed, and which shall supply during each working hour at least 1,500 cubic feet of fresh air for each and every person employed therein.

All such rooms or apartments having less than 500 cubic feet of air space for each and every person employed therein, all rooms or apartments having no outside windows or doors, and all rooms or apartments having less than 2,000 cubic feet of air space for each and every person employed therein, and in which the outside window and door area is less than one-eighth of the floor area, shall be provided with artificial means of ventilation which will supply during each working hour throughout the year at least 1,800 cubic feet of fresh air for each and every person employed therein: *Provided*, That the provisions of the preceding portions of this section shall not apply to storage rooms or vaults: *And provided further*, That the preceding portions of this section shall not apply to those rooms or apartments in which manufacturing processes are carried on which from their peculiar nature would be materially interfered with by the provisions of this section. No part of the fresh-air supply required by this section shall be taken from any cellar or basement.

The following terms of this section shall be interpreted to mean: The air space available for each person is the total interior volume of a room, expressed in cubic feet, without any deductions for machinery contained therein, divided by the average number of persons employed therein.

Outside windows and doors are those connecting directly with the outside air; the window and door area is the total area of the windows and doors of all outside openings; and the floor area is the total floor area of each room.

SEC. 12. All factories, mercantile establishments, mills, or workshops shall be kept free from gas or effluvia arising from any sewer, drain, privy, or other nuisance on the premises. All poisonous or noxious fumes or gases arising from any process, and all dust of a character injurious to the health of the persons employed, which is created in the course of a manufacturing process within such factory, mill, or workshop, shall be removed, as far as practicable, by either ventilating or exhaust devices.

SEC. 13. All decomposed, fetid, or putrescent matter, and all refuse, waste, and sweepings of any factory, mercantile establishment, mill, or workshop shall be removed and disposed of, at least once each day, and in such a manner as not to cause a nuisance; and all cleaning shall be done, as far as possible, outside of working hours; but if done during working hours, shall be done in such a manner as to avoid the unnecessary raising of dust or noxious odors. In every factory, mill, or workshop in which any process is carried on which makes the floors wet, the floor shall be constructed and maintained with due regard to the health of employees, and gratings or dry standing rooms shall be provided, if practicable, at points where employees are regularly stationed, and adequate means shall be provided for drainage and for preventing seepage or leakage to the floors below.

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SEC. 20. Every factory, mercantile establishment, mill, or workshop shall be provided with a sufficient number of water-closets, earth closets, or privies, within reasonable access of the persons employed therein, and such water-closets, earth closets, or privies shall be supplied in the proportion of at least one to every 30 male persons and one to every 25 female persons; and whenever both male and female persons are employed said water-closets and privies shall be provided separate and apart for the use of each sex, and plainly marked by which sex they are to be used; and no person or persons shall be allowed to use the closets or privies assigned to the opposite sex; and such water-closets or privies shall be constructed in an approved manner and properly inclosed, and at all times kept in a clean and sanitary condition. The closets or privies, where practicable, shall be located so that they shall have direct ventilation with the outside air; where it is impracticable to locate the closets or privies so as to have direct ventilation with the outside air, they shall be placed in an inclosure, and every such closet or privy shall be properly and effectively disinfected and separately ventilated, and shall be properly lighted by artificial light, except when the influx of natural light makes artificial light unnecessary: *Provided*, That nothing in this section shall be construed to prevent any city, town, or village, by appropriate ordinance or regulation, from prohibiting the construction, use, or maintenance in such city, town, or village, of any kind of earth closets, or privies, which may be considered a nuisance or detrimental to the public health.

SEC. 21. In all factories, mercantile establishments, mills, or workshops adequate washing facilities shall be provided for the employees, where necessary, and in such case in all factories, mills, and workshops not less than one spigot, basin, or receptacle shall be provided for each 30 employees, and in mercantile establishments not less than one spigot, basin, or receptacle shall be provided for each 50 employees. Where the labor performed by the employee is of such a character as to make customary or necessary a change of clothing by the employees, there shall be provided sanitary and suitable dressing room or rooms, and both such dressing rooms and washing facilities shall be separately maintained for each sex: *Provided*, That nothing in this act shall be construed as abrogating or repealing any provision of section 5 of an act entitled "An act to provide for the licensing of plumbers, and to supervise and inspect plumbing," approved June 10, 1897, and in force July 1, 1897, or the provisions of any local ordinance or regulation of any city, town, or village requiring approved and sufficient methods of sanitation, light, heat, drainage, or ventilation of an equal or superior standard to that required in this act.

SEC. 22. It shall be the duty of every person, firm, or corporation to which the provisions of this act may apply, to carry out the same, and make all the changes and additions necessary therefor, and in every way to comply with all the provisions of this act, and it shall be the duty of the owner of the building in which is located any such factory, mercantile establishment, mill, or workshop to permit any alterations or additions to such building as may be necessary to comply with the provisions of this act.

SEC. 23. Whenever, by the provisions of this act, it is made the duty of any person, firm, or corporation within this State to make or install any alterations, additions, or changes, the same shall be made and installed in conformity with the provisions of this act, and completed within a reasonable time after notification by the chief State factory inspector or his deputy.

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SEC. 25. It shall be the duty of the chief State factory inspector, and of the assistant chief State factory inspector, and deputy factory inspectors, under the direction and supervision of the chief State factory inspector, to enforce the provisions of this act, and to prosecute all violations of the same before any magistrate or any court of competent jurisdiction in this State, and for that purpose they and each of them are hereby empowered to visit and inspect, at all reasonable times, all such factories,

mercantile establishments, mills, and workshops in this State: *Provided*, That whenever any secret process is used in any factory, mercantile establishment, mill, or workshop the owner shall, whenever asked by the chief State factory inspector or the assistant chief State factory inspector, file with him an affidavit that the owner has in all respects complied with the provisions of this act, and such affidavit shall be accepted in lieu of inspection of any room or apartment in which such secret process is carried on.

In the enforcement of the provisions of this act the chief State factory inspector, and the assistant chief State factory inspector, and the deputy factory inspectors, under the direction and supervision of the chief State factory inspector, shall give proper notice in regard to any violation of this act to the persons owning, operating, or managing any such factory, mercantile establishment, mill, or workshop. Such notice shall be written or printed and signed officially by the chief State factory inspector or the assistant chief State factory inspector, and said notice may be served by delivering the same to the person upon whom service is to be had, or by leaving at his usual place of abode, or business, an exact copy thereof, or by sending a copy thereof to such person by mail.

When general changes relative to the location and spacing of machinery or to ventilation have been made and such changes comply with the provisions of this act, such arrangements, conditions remaining the same, shall not be disturbed by any requirement of the chief State factory inspector or his deputies within the period of 12 months.

SEC. 26. Any person, firm, or corporation who shall, or any agent, manager, or superintendent of any person, firm, or corporation, who for himself or for such person, firm, or corporation shall violate any of the provisions of this act, or who omits or fails to comply with any of the foregoing requirements of this act, or who disregards any notice of the chief State factory inspector, or of the assistant chief State factory inspector, when said notice is given in accordance with the provisions of this act; or who obstructs or interferes with any examination or investigation being made by a State factory inspector, under this act, or any employee in any such factory, mercantile establishment, mill, or workshop who shall remove or interfere with any guard or protective or sanitary device required by the provisions of this act, except as hereinbefore provided, or who shall violate any of the other provisions of this act, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished for the first offense by a fine of not less than \$10 nor more than \$50, and upon conviction of the second or subsequent offense shall be fined not less than \$25 nor more than \$200; and in each case shall stand committed until such fine and costs are paid unless otherwise discharged by due process of law.

SEC. 27. Whenever any inspection of machinery, ways, means, instruments or appliances in, on, about, or connected with any factory, mill, mercantile establishment, or workshop is required to be made by the ordinance of any city, town, or village of a standard equal to that of this act and the inspection required by such ordinances has been made, then and in every such case such inspection shall be accepted by the chief State factory inspector, the assistant chief State factory inspector, and the deputy factory inspectors as a compliance in that respect with the provisions of this act; and it shall be the duty of the person for whom such inspection has been made to furnish the chief State factory inspector, or his assistant or deputies, with a copy of the report of inspection made under such ordinances.

SEC. 28. The provisions of this act relating to sanitation and ventilation shall not be held to apply to such rooms or apartments of any factory, mercantile establishment, mill, or workshop which are being operated under the supervision of the Federal Government, by virtue of an act of Congress entitled, "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1907," approved June 30, 1906, or any amendment thereof; nor shall any other of the provisions of this

act so apply respecting matters and conditions over which the Federal Government now exercises or shall hereafter exercise jurisdiction.

SEC. 29. The following terms used in this act shall have the following meaning: The term "factory" means any premises wherein electricity, steam, water, or other mechanical power is used to move or work any machinery employed in preparing, manufacturing, or finishing, or any process incident to the manufacturing of any article or part of any article; or the altering, repairing, ornamenting or the adapting for sale of any article. The term "mill or workshop" shall include any premises, room, or apartment not being a factory as above defined, wherein any labor is exercised by way of trade or for the purpose of gain in or incidental to any process of making, altering, preparing, cleaning, repairing, ornamenting, finishing, or adopting for sale any article or part of any article, and to which or over which building, premises, room, or apartment the employer of the person employed or working therein has the right of access or control: *Provided, however,* That a private house or private room in which manual or other labor is performed by a family dwelling therein, or by any of them for the exclusive use of the members of such family is not a factory, mill or workshop, within this definition. The term "mercantile establishment" shall include all concerns or places where goods, wares, or merchandise are purchased or sold, either at wholesale or retail.

SEC. 30. Copies of this act shall be printed in English and such other languages as may be necessary to disseminate a general knowledge of the provisions herein set forth and shall be supplied by the chief State factory inspector on application.

SEC. 31. For the purpose of disseminating a general knowledge of the provisions of this act among employees, the chief State factory inspector shall have prepared a notice covering the salient features of this act, \* \* \*

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The notice shall be printed on card board of suitable character, and the type used shall be such as to make it easily legible. In addition to English, this notice shall be printed in such other languages as may be necessary to make it intelligible to employees. Copies shall be supplied by the chief State factory inspector on application and must be posted in a conspicuous place in every office and workroom of every establishment covered by the provisions of this act.

SEC. 32. "An act to provide for the health, safety, and comfort of employees in factories, mercantile establishments, mills, and workshops in this State and to provide for the enforcement thereof," approved June 4, 1909, in force January 1, 1910, be and the same is hereby repealed.

#### **Industrial Diseases—Prevention of—Regulation of Industries in Which Poisonous Fumes or Dusts May be Produced. (Act June 29, 1915.)**

SECTION 1. That every employer of labor in this State, engaged in the manufacture, repairing, or altering of any metals, wares, or merchandise which may produce or generate poisonous or noxious fumes or dusts in harmful quantities, such as metal polishing, grinding, plating, and dipping of metals in acid solutions or dips, are hereby declared to be especially dangerous to the health of the employees so engaged.

Such manufacture, repairing, or altering of any metals or merchandise in such processes and places of employment shall be conducted in rooms lying wholly above the surface of the ground.

SEC. 2. It shall be the duty of the chief State factory inspector, the assistant State factory inspector, and the deputy factory inspectors to enforce the provisions of this act, and to prosecute all violations of the same before any magistrate or any court of competent jurisdiction in this State, and for that purpose such inspectors are empowered to visit and inspect, at all reasonable hours, all places that may come under the provisions of this act. In the enforcement thereof, said chief State factory inspector, the assistant chief State factory inspector, and the deputy factory inspectors shall

by and with the approval of the county board: *Provided, however,* That no such building shall be constructed until detailed plans therefor shall have been submitted to the secretary of the State board of health and shall have been approved by him: *And provided further,* That no building in which tuberculosis patients are to be housed shall be built on the grounds of a county poor farm, but shall have separate and distinct grounds of its own. Said board of directors shall have the power to appoint suitable superintendents or matrons, or both, and all necessary assistants, and to fix their compensation, and shall also have the power to remove such appointees, and shall in general carry out the spirit and intent of this act in establishing and maintaining a county tuberculosis sanitarium: *Provided,* That no sanitarium, or branch, or dispensary, or auxiliary institution, or activity, under this act, for tuberculosis patients shall be under the same management as a county poor farm or infirmary, but shall, on the contrary, be under a management separate and distinct in every particular. One or more of said directors shall visit and examine said sanitarium, and all branches, dispensaries, auxiliary institutions, and activities at least twice in each month, and shall make monthly reports of the condition thereof to the county board.

SEC. 7. Every sanitarium established under this act shall be free for the benefit of such of the inhabitants of such county as may be afflicted with tuberculosis, and they shall be entitled to occupancy, nursing, care, medicines and attendance, according to the rules and regulations prescribed by said board of directors. Such sanitarium shall always be subject to such reasonable rules and regulations as said board of directors may adopt in order to render the use of said sanitarium of the greatest benefit to the greatest number, and said board of directors may exclude from the use of said sanitarium any and all persons who shall willfully violate such rules or regulations: *Provided, however,* That no person so afflicted shall be compelled to enter such sanitarium, or any of its branches, dispensaries, or other auxiliary institutions without his consent in writing first having been obtained, or, in case of a minor or one under a disability, the consent in writing of the parent or the parents, guardian or conservator, as the case may be. Said board of directors shall, upon request or by consent of the person afflicted, or of the parent or parents, guardian or conservator thereof, have the power to extend the benefits and privileges of such institution, under proper rules and regulations, into the homes of persons afflicted with tuberculosis, and to furnish nurses, instruction, medicines, attendance, and all other aid necessary to effect a cure, and to do all things in and about the treatment and care of persons so afflicted, which will have a tendency to effect a cure of the person or persons afflicted therewith and to stamp out tuberculosis in such county. And said board of directors may extend the privileges and use of such sanitarium and treatment to persons so afflicted, residing outside of such county, in this State, upon such terms and conditions as said board of directors may from time to time by its rules and regulations prescribe.

SEC. 8. Said board of directors, in the name of the county, may receive from any person any contribution or donation of money or property, and shall pay over to the treasurer of such county all moneys thus received as often as once in each month, and shall take the receipt of such treasurer therefor; and shall also, at each regular meeting of the county board, report to such county board the names of all persons from whom any such contribution or donation has been received, since the date of the last report, and the amount and nature of the property so received from each, and the date when the same was received. And said board of directors shall make, on or before the second Monday in June of each year, an annual report to the county board, stating the condition of their trust on the 1st day of June of that year, the various sums of money received from the tuberculosis sanitarium fund and from other sources, and how such moneys have been expended, and for what purpose, the number of patients, and such other statistics, information, and suggestions as they may deem of general interest.

and maintenance of a county tuberculosis sanitarium in such county, such county board shall instruct the county clerk to, and the county clerk shall, in the next legal notice of a regular general election in such county, give notice that at such election every elector may vote "for the levy of a tax for a county tuberculosis sanitarium," or "against the levy of a tax for a county tuberculosis sanitarium," and provision shall be made for voting on such proposition, in accordance with such notice, and if a majority of all the votes cast upon the proposition shall be for the levy of a tax for a county tuberculosis sanitarium, the county board of such county shall hereafter annually levy a tax of not to exceed 3 mills on the dollar, which tax shall be collected in like manner with other general taxes in such county and shall be known as the "tuberculosis sanitarium fund," and thereafter the county board of such county shall, in the annual appropriation bill, appropriate from such fund such sum or sums of money as may be deemed necessary to defray all necessary expenses and liabilities of such county tuberculosis sanitarium.

SEC. 3. When in any county such a proposition for the levy of a tax for a county tuberculosis sanitarium has been adopted as aforesaid, the chairman or president, as the case may be, of the county board of such county shall, with the approval of the county board, proceed to appoint a board of three directors, one at least of whom shall be a licensed physician, and all of whom shall be chosen with reference to their special fitness for such office.

SEC. 4. One of said directors shall hold office for one year, another for two years, and another for three years, from the first day of July following their appointment, but each until his successor is appointed, and at their first regular meeting they shall cast lots for the respective terms; and annually thereafter the chairman or president, as the case may be, of the county board shall, before the first day of July of each year, appoint as before one director, to take the place of the retiring director, who shall hold office for three years and until his successor is appointed. The chairman or president, as the case may be, of the county board may, by and with the consent of the county board, remove any director for misconduct or neglect of duty.

SEC. 5. Vacancies in the board of directors, occasioned by removal, resignation, or otherwise, shall be reported to the county board, and be filled in like manner as original appointments; and no director shall receive compensation as such, or be interested, either directly or indirectly, in the purchase or sale of any supplies for said sanitarium.

SEC. 6. Said directors shall, immediately after appointment, meet and organize, by the election of one of their number as president and one as secretary, and by the election of such other officers as they may deem necessary. They shall make and adopt such by-laws, rules, and regulations for their own guidance and for the government of the sanitarium and the branches, dispensaries, and auxiliary institutions and activities connected therewith as may be expedient, not inconsistent with this act. They shall have the exclusive control of the expenditure of all moneys collected to the credit of the tuberculosis sanitarium fund, and of the construction of any sanitarium building, or other buildings necessary for its branches, dispensaries, or other auxiliary institutions or activities in connection with said institution, and of the supervision, care, and custody of the grounds, rooms, or buildings constructed, leased, or set apart for that purpose: *Provided*, That all moneys received for such sanitarium, with the exception of moneys the title to which rests in the board of directors in accordance with section 9, *infra*, shall be deposited in the treasury of said county to the credit of the tuberculosis sanitarium fund, and shall not be used for any other purpose, and shall be drawn upon by the proper officers of said county upon the properly authenticated vouchers of said board of directors. Said board of directors shall have the power to purchase or lease ground within the limits of such county, and to occupy, lease, or erect an appropriate building or buildings for the use of said sanitarium, branches, dispensaries, and other auxiliary institutions and activities connected therewith,

by and with the approval of the county board: *Provided, however,* That no such building shall be constructed until detailed plans therefor shall have been submitted to the secretary of the State board of health and shall have been approved by him: *And provided further,* That no building in which tuberculosis patients are to be housed shall be built on the grounds of a county poor farm, but shall have separate and distinct grounds of its own. Said board of directors shall have the power to appoint suitable superintendents or matrons, or both, and all necessary assistants, and to fix their compensation, and shall also have the power to remove such appointees, and shall in general carry out the spirit and intent of this act in establishing and maintaining a county tuberculosis sanitarium: *Provided,* That no sanitarium, or branch, or dispensary, or auxiliary institution, or activity, under this act, for tuberculosis patients shall be under the same management as a county poor farm or infirmary, but shall, on the contrary, be under a management separate and distinct in every particular. One or more of said directors shall visit and examine said sanitarium, and all branches, dispensaries, auxiliary institutions, and activities at least twice in each month, and shall make monthly reports of the condition thereof to the county board.

SEC. 7. Every sanitarium established under this act shall be free for the benefit of such of the inhabitants of such county as may be afflicted with tuberculosis, and they shall be entitled to occupancy, nursing, care, medicines and attendance, according to the rules and regulations prescribed by said board of directors. Such sanitarium shall always be subject to such reasonable rules and regulations as said board of directors may adopt in order to render the use of said sanitarium of the greatest benefit to the greatest number, and said board of directors may exclude from the use of said sanitarium any and all persons who shall willfully violate such rules or regulations: *Provided, however,* That no person so afflicted shall be compelled to enter such sanitarium, or any of its branches, dispensaries, or other auxiliary institutions without his consent in writing first having been obtained, or, in case of a minor or one under a disability, the consent in writing of the parent or the parents, guardian or conservator, as the case may be. Said board of directors shall, upon request or by consent of the person afflicted, or of the parent or parents, guardian or conservator thereof, have the power to extend the benefits and privileges of such institution, under proper rules and regulations, into the homes of persons afflicted with tuberculosis, and to furnish nurses, instruction, medicines, attendance, and all other aid necessary to effect a cure, and to do all things in and about the treatment and care of persons so afflicted, which will have a tendency to effect a cure of the person or persons afflicted therewith and to stamp out tuberculosis in such county. And said board of directors may extend the privileges and use of such sanitarium and treatment to persons so afflicted, residing outside of such county, in this State, upon such terms and conditions as said board of directors may from time to time by its rules and regulations prescribe.

SEC. 8. Said board of directors, in the name of the county, may receive from any person any contribution or donation of money or property, and shall pay over to the treasurer of such county all moneys thus received as often as once in each month, and shall take the receipt of such treasurer therefor; and shall also, at each regular meeting of the county board, report to such county board the names of all persons from whom any such contribution or donation has been received, since the date of the last report, and the amount and nature of the property so received from each, and the date when the same was received. And said board of directors shall make, on or before the second Monday in June of each year, an annual report to the county board, stating the condition of their trust on the 1st day of June of that year, the various sums of money received from the tuberculosis sanitarium fund and from other sources, and how such moneys have been expended, and for what purpose, the number of patients, and such other statistics, information, and suggestions as they may deem of general interest.

SEC. 9. Any person desiring to make any donation, bequest, or devise of any money, personal property, or real estate for the benefit of such sanitarium shall have the right to vest the title to the money, personal property, or real estate so donated in the board of directors created under this act, to be held and controlled by such board of directors, when accepted, according to the terms of the deed, gift, devise, or bequest of such property, and as to such property the said board of directors shall be held and considered to be special trustees.

SEC. 10. When any such sanitarium is established, the physicians, nurses, attendants, the persons sick therein, and all persons approaching or coming within the limits of the same or grounds thereof, and all furniture and other articles used or brought there, shall be subject to such rules and regulations as said board of directors may prescribe; and such rules and regulations shall extend to all branches, dispensaries, and other auxiliary institutions located within such county, and to all employees in the same, and to all employees sent, as herein provided for, to the homes of the afflicted.

SEC. 11. All reputable physicians shall have equal privileges in treating patients in any county tuberculosis sanitarium.

SEC. 12. Nothing contained in this act shall be construed to amend or repeal paragraph ninth of section 25 of an act entitled "An act to amend sections 24 and 25 of an act entitled 'An act to revise the law in relation to counties,' approved and in force March 31, 1874," approved April 26, 1909, in force July 1, 1909, but said paragraph ninth shall, on the contrary, remain in full force and effect.

**Tuberculosis Sanatoriums—Discontinuance of, by Cities and Villages. (Act June 28, 1915.)**

SECTION 1. That an act entitled, "An act to enable cities and villages to establish and maintain public tuberculosis sanatoriums," approved March 7, 1908, in force July 1, 1908, as subsequently amended, be, and the same is hereby, amended by adding to said act four new sections to be numbered 12, 13, 14, and 15, respectively, which sections when amended shall read as follows:

SEC. 12. Whenever the board of directors of any public tuberculosis sanitarium established and maintained under this act shall recommend in writing to the city council or board of trustees, as the case may be, the discontinuance of any public tuberculosis sanitarium, stating in said report the reasons therefor, the said city council or board of trustees may pass an ordinance for the discontinuance of such public tuberculosis sanitarium.

SEC. 13. Whenever such ordinance is passed for the discontinuance of any such sanitarium, the said ordinance shall be submitted to the voters of such city or village, as the case may be, at the next succeeding general or special election, or at any special election called for that purpose, and the said ordinance shall become operative, effective, and valid if approved by a majority of such voters voting upon the question.

SEC. 14. Such ordinance shall be printed on a ballot in full, which shall be separate and distinct from the ballot for candidates for office. The ballot to be used for any such election in voting under this act shall be substantially in the following form:

FOR the abolition of the public tuberculosis sanitarium of the city (or village, as the case may be) of ....., as provided in ordinance No. ....	Yes.	
AGAINST the abolition of the public tuberculosis sanitarium of the city (or village, as the case may be) of ....., as provided in ordinance No. ....	No.	

SEC. 15. Whenever such ordinance shall have been ratified and made effective, operative, and valid by vote, as provided in the last preceding section, the city council or board of trustees of such city or village may after having discharged all

5. *Removals.*—No person, patient or contact, and no article of any kind whatsoever, shall be removed from the premises upon which a case of diphtheria (membranous croup, diphtheritic croup) has been found, unless consent to such removal be first obtained from the local health authorities or the State board of health. Under no circumstances shall permission be granted for removal of any person or article from premises upon which a case of diphtheria (membranous croup, diphtheritic croup) has been found to any premises upon which milk or other foodstuffs are produced, sold, or handled, until quarantine has been terminated, and then only upon permission of the local health authorities or the State board of health.

No person affected with or exposed to diphtheria (membranous croup, diphtheritic croup) shall be removed from any city, village, township, or county in which he is found unless consent to such removal be first obtained from the State board of health.

6. *Exclusion from the schools and places of public gathering.*—Children recovered from an attack of diphtheria (membranous croup, diphtheritic croup) must be excluded from the schools, Sunday schools, and other places of public gathering for at least one week following termination of quarantine, unless negative cultures have been obtained from nose and throat.

All children who continue to reside on the infected premises must be excluded from the schools during the period of quarantine and one week thereafter, or until negative cultures are obtained from nose and throat.

Children who have been exposed to diphtheria and who do not reside on the infected premises must be excluded from the schools for at least one week from date of last exposure, unless negative cultures from nose and throat are obtained.

School teachers and other persons employed in and about a school building, who have been exposed to diphtheria, must be excluded from the school building or grounds until it has been definitely established that they are not diphtheria carriers, and until persons and clothing have been thoroughly disinfected.

7. *Sale of milk and other foodstuffs from infected premises prohibited.*—Whenever a case of diphtheria (membranous croup, diphtheritic croup) shall occur on any premises where milk or other foodstuffs is either produced, handled, or sold, the sale, exchange, or distribution in any manner whatsoever, or the removal from the infected premises of milk, cream, and milk products or other foodstuffs until the case has terminated, and the premises and contents and all utensils are thoroughly disinfected, under the supervision of the local health authorities, is prohibited: *Provided*, That in the event of diphtheria (membranous croup, diphtheritic croup) occurring on a dairy farm, the live stock only may be removed to some other premises and the milking done and milk cared for and sold from such other premises by persons other than those of the household of the person so affected, upon obtaining permission to do so from the local health authorities or the State board of health.

Whenever a case of diphtheria (membranous croup, diphtheritic croup) shall occur on premises connected with any store, such store shall be quarantined until the case is terminated and the premises are thoroughly disinfected, unless the premises are so constructed that that part in which the case exists can be and is effectively sealed, under the supervision of the local health authorities, from the store, and unless the employees and all other persons connected with the store do not enter that part of the premises where the case exists and do not come in contact with the patient, his attendant, or any article whatsoever from the quarantined premises.

8. *Deliveries of milk, groceries, and other necessities.*—Milk, foodstuffs, and other necessary supplies may be delivered at quarantined premises, but there must be no contact of any kind between inmates of the quarantined premises and the delivery agents. Wherever practicable, milk must be delivered in bottles. Where milk can not be delivered in bottles, the householder must place a thoroughly sterile container (a freshly scalded bottle or pail) to receive the milk at some convenient place outside the house out of reach of dogs or cats. The milkman shall place the milk therein without handling the receiving container. No milk bottle, basket, or any other article



whatsoever may be taken out of or away from the infected premises during the period of quarantine. Before milk bottles are removed from the premises after quarantine is raised, they must be sterilized under the direction of the local health authorities. Mail must not be taken from the quarantined premises during the period of quarantine.

9. *Disinfection.*—All articles taken from the sick room must be disinfected upon removal. Exposure in the open air of carpets, rugs, curtains, bedding, and similar articles from the infected premises for the purpose of airing, shaking, beating, or sunning is strictly prohibited, unless, in the opinion of the local health authorities, such may be done without danger of the spread of the disease.

Books, toys, and other similar articles used to amuse the patient are best disposed of by burning. Under no circumstances should borrowed toys or books be returned. Library and school books must not be returned. They must be burned.

Bed and body linen, which has been in contact with the patient, and handkerchiefs or cloths which have been used to receive discharges from the patient, must be immersed for not less than two hours in an approved disinfectant before removal from the sick room, and after removal should be boiled.

No article of clothing, or other article, may be removed from the infected premises to a laundry or other place for washing, unless it has previously been disinfected by immersion for not less than two hours in an approved disinfectant, and the approval of the local health authorities has been obtained.

Dogs, cats, and other household pets must be excluded from the infected premises during the entire period of quarantine. Any such animals who have been in contact with the patient must be killed or subjected to a thorough disinfecting bath before removal from the infected premises, and must not be permitted to reenter the same until quarantine has been raised and the premises have been disinfected.

10. *Deaths and burials.*—In the event of death, the body must be wrapped in a sheet thoroughly soaked in an approved disinfectant, and then placed in an airtight coffin, which must remain in the sick room until removed for burial. The coffin must not again be opened on any pretext whatsoever. Public and church funerals are prohibited. No person whose attendance is not necessary for the conduct of the funeral shall be permitted to enter the premises where the death occurred. Interment must be made within 48 hours after death.

Nothing in this rule shall be held to prevent the attendance at the funeral of any adult member of the immediate family, who shall have been in attendance upon the deceased and who shall have been exposed to the disease prior to such funeral and whose clothing and person has first been disinfected. Other persons desiring to follow the body to the grave may do so, provided that they do not enter the premises where the death occurred and do not enter the vehicles occupied by persons who have entered or come from such premises.

Flowers which may have been sent to the infected premises must be destroyed by burning immediately upon the removal of the body from the premises. Under no circumstances may they be taken from the infected premises.

When the body of any one dead from diphtheria (membranous croup, diphtheritic croup) is to be transported by railroad or by other common carrier, the official rules of the Illinois State Board of Health for the transportation of the dead must be observed.

**Measles—Notification of Cases—Placarding—Quarantine—Attendance at Public Gatherings—Disinfection—Burial. (Reg. Bd. of H., Feb. 16, 1915.)**

1. *Reports.*—Every physician, attendant, parent, householder or other person having knowledge of a known or suspected case of measles must immediately report the same to the local health authorities.

All local health authorities who have been advised of cases of measles shall report the same to the State board of health on a form provided for that purpose.

2. *Placarding.*—Whenever a case of measles is reported to the local health authorities, they shall affix in a conspicuous place at each outside entrance of the building, house or flat, as the case may be, a red warning card not less than 10 by 15 inches in size, on which shall be printed in black, with boldface type, at least the following: "Measles" in type not less than  $3\frac{1}{2}$  inches in height, and "keep out" in similar type not less than  $2\frac{1}{2}$  inches in height. Defacement of such placards or their removal by any other than the local health authorities or the duly authorized representative of the State board of health is strictly prohibited.

3. *Quarantine.*—The patient should be confined to one well ventilated room, screened against flies and similar insects, and as remote as possible from other occupied rooms. No persons, except the necessary attendants, should come in contact with the patient.

No person affected with measles shall be removed from the premises upon which he resides unless consent to such removal be given by the health authorities.

Children and susceptible adults must not visit the infected premises. Adults who have had the disease may, if necessary, enter the infected premises but they must not enter the sick room or come in contact with the patient or attendant.

Quarantine of patient must be maintained for 14 days after the beginning of the disease and until all infectious discharges from nose, ears, and throat have disappeared and the cough has ceased: *Provided, however,* That if there are no other susceptibles in the family and the patient is free from infectious discharges, the quarantine may be raised by the health officer whenever the patient's temperature has been normal for 48 hours.

Adult members of the family who have had the disease may go about their usual business.

4. *Quarantine of susceptibles.*—Susceptible children of the family may be permitted the freedom of an inclosed yard, if there be one, provided that they do not come in contact with other children, otherwise they must remain in the house for 18 days from date of last exposure. Susceptible adults of the family should avoid mingling with children and should be closely watched for development of the disease.

5. *Exclusion from schools and places of public gathering.*—The patient must be excluded from school, Sunday school, theaters, picture shows, and other places of public or social gathering for at least three weeks from the onset of the disease, and longer if bronchitis, inflammation of the throat or nose, or abscess of the ear is present.

Children of the infected family who have had the disease may be permitted to attend school provided a physician certifies that he has personal knowledge that they have had measles. They must not, however, come in contact with the patient.

Children of the family who have not had the disease and who continue to reside on the infected premises must be excluded from school, Sunday school, theaters, picture shows, and other places of public gathering for at least 18 days from date of last exposure. This exclusion also applies to susceptible teachers.

Children of the family who have not had the disease but who have been removed from the infected premises may be permitted to attend school, Sunday schools, and other public gatherings after 18 days following such removal, provided that they have not developed or do not show symptoms of the disease. School or Sunday school teachers who have been exposed to a case of measles and who have not had the disease must not attend classes until after 18 days from date of last exposure.

6. *Sale of milk and foodstuffs from infected premises.*—The sale of milk and foodstuffs from infected premises is prohibited until such time, as in the opinion of the health authorities, sale may be resumed without danger of spreading the disease.

7. *Disinfection.*—An ample supply of towels, basins, water, and an approved disinfectant should always be on hand for the disinfection of the hands of the attendants.

Soiled body and bed clothing, also handkerchiefs and cloths used to receive discharges from nose and mouth of the patient and of vomit matter should be immedi-

ately disinfected by immersion in an approved disinfecting solution for two hours, and after removal from the sick room should be boiled.

Circulating library books must not be taken into the infected premises. Any such books which may be found upon the premises when the case of measles is discovered shall not be removed therefrom until quarantine has been raised and until such books have been specially and thoroughly disinfected under the supervision of the local health authorities.

Dogs, cats, and other household pets must be excluded from the infected premises. Any such animals which have come in contact with the patient must be subjected to a thorough disinfecting bath and removed from the premises and must not be permitted to reenter the infected premises until quarantine has been raised.

Before quarantine is raised the patient should be given a disinfecting bath (special attention being paid to the disinfection of hair and scalp) and should then be dressed in clothing which has been disinfected.

After the recovery or death of the patient the sick room and contents should be disinfected by thorough scrubbing and long period of airing.

8. *Deaths and burials.*—In the event of death the body must be wrapped in a sheet thoroughly soaked in an approved disinfectant and then placed in an air-tight coffin, which must remain in the sick room until removed for burial. The coffin must not again be opened under any circumstances whatsoever. Interment must be within 48 hours after death. Public funerals are prohibited, although adult members of the family and immediate adult relatives who have had the disease may enter the premises at the time of the funeral. Other adult and nonsusceptible children may follow the remains to the grave provided they do not occupy carriages with adults who have recently left the premises from which the body was removed. Church services are prohibited. Floral offerings must not be removed from the house and must be destroyed by burning after the body has been removed from the house.

When the body of anyone dead from measles is to be transported by railroad or by other common carrier, the official rules of the Illinois State Board of Health for the transportation of the dead must be observed.

**Industrial Diseases—Prevention of, in Factories, Stores, and Workshops. (Act June 29, 1915.)**

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Sec. 8. No employee shall take or be allowed to take food into any room or apartment in any factory, mercantile establishment, mill, or workshop where white lead, arsenic, or other poisonous substances or injurious or noxious fumes, dusts, or gases under harmful conditions are present as the result of the business conducted by such factories, mercantile establishments, mills, or workshops, and notice to this effect shall be posted in each room or apartment. Employees shall not remain in any such room or apartment during the time allowed for meals, and suitable provision shall be made and maintained by the employer, when practicable, for enabling the employees to take their meals elsewhere in such establishment: *Provided, however,* That this section shall not apply to such employees whose presence during meal hours may be necessary for the proper conduct of such business.

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Sec. 10. In every factory, mercantile establishment, mill, or workshop where one or more persons are employed adequate measures shall be taken for securing and maintaining a reasonable and, as far as possible, equable temperature, consistent with the reasonable requirements of the manufacturing process. No unnecessary humidity which would jeopardize the health of employees shall be permitted.

Sec. 11. In every room or apartment of any factory, mercantile establishment, mill, or workshop where one or more persons are employed at least 500 cubic feet of air space shall be provided for each and every person employed therein, and fresh air,

SEC. 14. That when any certificate of birth of a living child is presented without the statement of the given name, then the local or subregistrar shall make out and deliver to the parents of the child a special blank for the supplemental report of the given name of the child, which shall be filled out as directed and returned to such registrar as soon as the child shall have been named.

Where the birth of a child born prior to the taking effect of this act has not been recorded, or in case of failure to report any birth which occurs subsequent to the taking effect of this act within the time prescribed herein, such report may be received and filed by the local registrar, for the purposes and uses of this act, when such report is accompanied by affidavits of the father or mother of the child, or if neither father nor mother of the child is living, of the nearest of kin or guardian.

SEC. 15. That every physician, midwife, undertaker, and sexton shall, without delay, register his or her name, address, and occupation with the local registrar of the district in which he or she resides or may hereafter establish a residence; and shall thereupon be supplied by the local registrar with a copy of this act, together with such rules and regulations as may be prepared by the State board of health relative to its enforcement. Within 30 days after the close of each calendar year each local registrar shall make a return to the State board of health of all physicians, midwives, undertakers, and sextons who have been registered in his district during the whole or any part of the preceding calendar year: *Provided*, That no fee or any compensation shall be charged by local registrars to physicians, midwives, undertakers, or sextons for registering their names under this section or for making returns thereof to the State board of health.

SEC. 16. That all superintendents or managers or other persons in charge of hospitals, almshouses, lying-in or other institutions, public or private, to which persons resort for treatment of diseases, confinement, or are committed by process of law, shall make a record of all the personal and statistical particulars relative to the inmates of their institutions at the date of taking effect of this act that are required in the forms of the certificates prescribed by the State board of health; and thereafter such record shall be by them made for all future inmates at the time of their admission. And in case of persons admitted or committed for medical or surgical treatment of disease or injury, the physician in charge shall specify for entry in the records the nature of the disease or injury, and where, in his opinion, it was contracted or received. The personal particulars and information required shall be obtained from the individual himself, if it is practicable to do so, and when they can not be so obtained they shall be secured in as complete a manner as possible from relatives, friends, or other persons acquainted with the facts.

SEC. 17. That the State board of health shall prescribe all forms of reports of births, stillbirths, and deaths and shall prepare, print, and supply all local registrars with copies of all blanks and forms sufficient to carry out the provisions of this act; and shall prepare and issue such detailed instructions as may be required to procure the uniform observance of its provisions and the maintenance of a perfect system of registration, and no other blanks shall be used than those supplied by the State board of health: *Provided*, That in any city, incorporated town or village, the local department or board of health or the city clerk, as the case may be, may have printed blank forms bearing such items of record or instructions as may be necessary for the needs and purposes of carrying out the provisions of local ordinances not in conflict with the forms prescribed or approved by the State board of health: *And provided further*, That the State board of health shall not supply the short form on postal cards for reporting the births mentioned in section 12 of this act.

The State board of health shall carefully examine the certificates received monthly from the local registrars and of [sic] any such are incomplete or unsatisfactory shall require such further information to be furnished as may be necessary to make the records complete and satisfactory. All physicians, midwives, coroners, superintend-

ents of hospitals or institutions, informants, undertakers or sextons, connected with any birth, stillbirth, or death, and all other persons having knowledge of the facts, shall furnish such information as they may possess regarding any death, stillbirth, or birth (excepting such information as may divulge the parentage of an illegitimate child, as provided in section 13 of this act) upon demand of the State board of health, by mail or through an accredited representative. Said board shall arrange, bind, and permanently preserve the certificates in a systematic manner, and shall prepare and maintain a comprehensive card index of all births and deaths registered and shall compile and publish for the information of the citizens of the State an annual report of births and deaths, which report shall contain such data as, in the opinion of the said board, will serve to promote public health and the general welfare of the citizens of the State.

SEC. 18. That it shall be the duty of the local registrars to supply blank forms of certificates to such persons as require them. Each local registrar or subregistrar shall carefully examine each certificate of birth, stillbirth, or death when presented for record, to see that it has been made out in accordance with the provisions of this act and the instructions of the State board of health, and if any certificate of death or stillbirth is incomplete or unsatisfactory it shall be the duty of the local registrar to call attention to the defects in the return, and at his discretion he may withhold issuing the burial or removal permit until such defects are corrected. If the certificate of death or stillbirth is properly executed and is complete, as far as is practicable, he shall then issue a burial or removal permit to the undertaker: *Provided*, That in case the death occurred from any disease that is communicable and dangerous to the public health the permit for the removal or other disposition of the body shall be granted by the local or subregistrar, under such rules as may be prescribed by the State board of health, or under local rules or ordinances not in conflict with the rules of the State board of health. If a certificate of birth is incomplete, the local registrar shall immediately notify the person making such report and require him or her to supply the missing items if they can be obtained.

The local registrar shall number consecutively the certificates of births, stillbirths, and deaths in three separate series, beginning with No. 1 for the first birth, stillbirth, or death in each calendar year, and sign his name as local registrar in the attest of the date of filing in this office. He shall also make a complete and accurate copy or copies of each birth, stillbirth, and death certificate registered by him on blank certificates of births, stillbirths, and deaths, or in a record book of approved form prescribed by the State board of health. Local registrars shall deposit with the county clerks of their respective counties within 60 days after the close of each calendar year, one complete set of the records of births, stillbirths, and deaths registered with them during the year, and the county clerks are charged with the binding and safe-keeping of such records. Each local registrar shall, on the 10th day of each month, transmit to the State board of health all original certificates registered by him, including those received from his subregistrars, during the preceding month: *Provided*, That any city, incorporated town, or village which is a registration district for the purposes of this act, may cause to be made extra copies of any or all birth, stillbirth, and death certificates filed with the local registrar, such extra copies to be in addition to those copies which are required to be made for and turned over to the county clerk, as provided for in this act, and such extra copies may be retained by any city, incorporated town, or village as its permanent record.

If no birth, stillbirth, or death occurred in any month, the local registrar shall, on the 10th day of the following month, report that fact to the State board of health on a card provided for that purpose.

SEC. 19. That each registrar for a registration district shall be paid the sum of 25 cents for each birth, stillbirth, and death certificate properly and completely made out, filed with and registered by him, up to an aggregate annual total of 5,000 certifi-

cates, and for each such certificate so made out and filed with and registered by him, in excess of an annual total of 5,000 certificates, the registrar shall be paid the sum of 10 cents: *Provided*, That the originals of all such certificates have been turned over by him to the State board of health, and that accurate copies of all such certificates have been made and turned over by him to the county clerk of his county as provided for in this act.

In case no birth, stillbirth, or death was registered during a month, the local registrar shall be paid the sum of 25 cents for a report to that effect, but only if such report be made promptly as required by this act.

When no record of a birth exists or when report of birth is not made within the time prescribed by this act and affidavits are required to establish such record, the local registrar who receives and files such record shall be entitled to the sum of 25 cents, to be paid by the person upon whose application the birth is recorded: *Provided*, That in registration districts coextensive with cities, villages, or incorporated towns in which registration of births, stillbirths, or deaths is conducted under local ordinances, and the local registrars receive fixed salaries in lieu of fees, all fees received under this act shall be paid into the treasuries of such cities, villages, or incorporated towns.

The State board of health shall, at the close of each calendar year, certify to the county clerk of each of the several counties the number of births, stillbirths, and deaths properly registered in his county, with the names of the persons entitled to the prescribed fees, and the amount due each at the rate fixed in this act.

The amounts payable to local registrars under the provisions of this act are hereby made and declared to be a charge upon the county in which said fees accrue, and the county clerk, or other county officer by whom warrants on the county treasurer are issued, of each of the several counties, shall issue to such local registrars his warrant upon the county treasurer of said county for the amount of fees due each person entitled to said fees in his county as certified to by the State board of health, and the county treasurer of said county shall pay the same upon presentation.

It shall be the duty of all boards of county commissioners or boards of supervisors, as the case may be, to appropriate such amounts as may be necessary for efficiently carrying out the provisions of this act in their respective counties.

SEC. 20. The State board of health, any local registrar, or any county clerk shall, on request, furnish a certified copy of the record of any birth, stillbirth, or death to any applicant entitled to the same upon the payment by such applicant of a fee of 50 cents to the maker of such certified copy. Any such copy of a birth, stillbirth, or death, when properly certified to by the State board of health or the local registrar or the county clerk, shall be prima facie evidence in all courts and places of the facts therein stated: *Provided*, That the United States Census Bureau may obtain, without expense to the State, transcripts or certified copies of birth, stillbirth, and death certificates without payment of the fees herein prescribed: *And provided further*, That the State board of health, in its discretion and in the interests of promoting registration of births, may issue, without fee, to the parents or guardian of any or every child whose birth has been registered in accordance with the provisions of this act, a special certificate of birth, limited in its statement of items from record of birth, to the name of the child, names of the parents, date and place of birth, date recorded, and the name of the attendant; such certificate, however, shall not be deemed as fulfilling the requirements of the certified copy of a record of birth for which payment is hereinbefore provided.

SEC. 21. That any person, who for himself or as an officer, agent, or employee of any other person, or of any corporation or partnership, (a) shall inter, cremate, or otherwise finally dispose of the dead body of a human being, or permit the same to be done, or shall remove said body from the registration district in which the death occurred or the body was found, without the authority of a burial or removal permit issued by the local registrar of the district in which the death occurred or in which the body was found; or (b) shall refuse or fail to furnish correctly any information in

his possession, or shall furnish false information affecting any certificate or record required by this act; or (c) shall willfully alter, otherwise than is hereinafter provided in this act, or shall falsify any certificate of birth, stillbirth, or death, or any record established in this act; or (d) being required by this act to fill out a certificate of birth, stillbirth, or death and file the same with the local registrar, or deliver it, upon request, to any person charged with the duty of filing the same, shall fail, or neglect, or refuse to perform such duty in the manner required by this act; or (e) being a local registrar, deputy registrar, or subregistrar, shall fail, neglect, or refuse to perform his duty as required by this act and by the instructions and directions of the State board of health thereunder, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall for the first offense be fined not less than \$5 nor more than \$50, and for each subsequent offense not less than \$10 nor more than \$100, or be imprisoned in the county jail not more than 60 days, or be both fined and imprisoned in the discretion of the court: *Provided*, That marginal notes placed on a certificate or report of birth, stillbirth, or death by a local registrar, or any official empowered by this act to record such certificates or records, and attested by the signature of such registrar or official, shall not be considered as an alteration in violation of the provision of this act.

SEC. 22. That each local registrar is hereby charged with the strict and thorough enforcement of the provisions of this act in his district under the supervision and direction of the State board of health. He shall make immediate report to the State board of health of any violation of this law coming to his knowledge, by observation or upon the complaint of any person, or otherwise. The State board of health is hereby charged with the thorough and efficient execution of the provisions of this act in every part of the State, and is hereby granted supervisory power over local registrars, deputy local registrars and subregistrars, to the end that all its requirements shall be uniformly complied with. The State board of health, or its accredited representatives, shall have authority to investigate cases of irregularity or violation of law, and all registrars shall aid said board upon request, in such investigations. And when it is deemed necessary the State board of health shall report cases of violation of any of the provisions of this act to the State's attorney of the county, with a statement of the facts and circumstances; and when any such case is reported to the said State's attorney by the State board of health, said State's attorney shall forthwith initiate and properly follow up the necessary court proceedings against the person or corporation responsible for the alleged violation of the law. And upon request of the State board of health, the attorney general shall likewise assist in the enforcement of the provisions of this act: *Provided*, That in cities, incorporated towns or villages, operating under local ordinances, the local registrar may report such violation to the city or local prosecuting attorney and any such prosecuting attorney so notified shall forthwith initiate and promptly follow up the necessary court proceedings, and when violation involves both local ordinances and the statutes, the State's attorney and the attorney general, upon request of the State board of health, shall likewise assist in the enforcement of the provisions of this act.

SEC. 23. That an act entitled "An act requiring reports of births and deaths, and the recording of the same and prescribing a penalty for noncompliance with the provisions thereof, and repealing certain acts therein named, approved May 6, 1903, in force July 1, 1903," and all amendments thereto be and the same is hereby repealed.

#### **Embalmers—Examination and License. (Act July 23, 1915.)**

SECTION 1. That section 1 of an act entitled "An act providing for the regulation of the embalming and disposal of dead bodies, for a system of examination, registration, and licensing of embalmers, and imposing penalties for the violation of any of its provisions," approved May 13, 1905, in force July 1, 1905, be, and the same hereby is, amended so as to read as follows:

"SECTION 1. That no person shall embalm or prepare for transportation anybody dead of a contagious or infectious disease, or embalm any dead body, or hold himself

out as practicing the art of embalming, without first applying to and receiving from the State board of health a license authorizing him so to do. All applications for licenses shall be made in writing, on blank forms prescribed by the State board of health, and shall be accompanied by the examination and license fee of \$5, with proof that the applicant is of good moral character and has attained the age of at least 21 years, and has had two years' practical experience under a licensed embalmer. If the applicant complies with the requirements of the said board, then its secretary shall notify each applicant to appear before the said board for examination."

**Domestic Animals—Bulls, Cows, and Heifers—Importation of—Tuberculin Test.**  
(Act June 29, 1915.)

SECTION 1. That an act entitled, "An act to revise the law in relation to the suppression and prevention of the spread of contagious and infectious diseases among domestic animals," approved June 14, 1909, in force July 1, 1909, be amended by adding to said act 15 sections to be known as sections 13, 13a, 13b, 13c, 13d, 13e, 13f, 13g, 14, 15, 16, 17, 18, 19, and 20.

Sec. 13. All bulls, cows or heifers exceeding the age of nine months brought into the State of Illinois by any person, persons, firm, company or corporation, or by any railroad or other transportation company (unless said bulls, cows or heifers are consigned to and delivered by the transportation company within the confines of the Union Stock Yards, Chicago, the National Stock Yards, East St. Louis, or the Union Stock Yards, Peoria), or any other like public stockyard, shall be accompanied by a certificate of health, including the tuberculin test, administered in accordance with the regulations of the United States Bureau of Animal Industry within 30 days previous to said cattle being brought into the State of Illinois.

Sec. 13a. The foregoing provisions, however, shall not apply to the importation of bulls, cows or heifers from herds which are officially registered by the live stock sanitary authorities of the State of origin as being free from tuberculosis and other contagious and infectious diseases. Reciprocal exchange of cattle from "State accredited herds," shall be permitted under regulations prescribed by the State board of live stock commissioners.

Sec. 13b. All certificates of health shall be issued in duplicate form by veterinarians in good standing and shall be approved by the State veterinarian or official in charge of live stock sanitary control in the State in which the shipment has its origin, or by an inspector of the United States Bureau of Animal Industry. Before accepting consignments of bulls, cows, or heifers for importation into the State of Illinois, transportation companies shall require that the original of said certificate of health be delivered to them to be attached to the waybill and accompanying the shipment to its destination. When such bulls, cows, or heifers are driven into the State of Illinois said certificate of health must be carried by the person in charge of said cattle. A duplicate of each certificate of health under which bulls, cows, or heifers are brought into the State of Illinois for breeding or dairy purposes, as in this act required, shall be mailed to the State veterinarian, Springfield, Ill., on or before the date of bringing such cattle into the State. Furthermore, the agent of any transportation company delivering cattle covered by a certificate of health within the State of Illinois shall immediately detach from said waybill said certificate of health and immediately forward same to the State veterinarian, Springfield, Ill., and such transportation company may, with each shipment, require an extra duplicate to be filed with such transportation company for record.

Sec. 13c. Bulls, cows, or heifers for feeding or grazing only, may be shipped or driven into the State of Illinois or removed from public stockyards within the State upon a permit issued by the State board of live stock commissioners, provided that all such cattle shall be placed in quarantine upon the premises of the owner until released therefrom or until they have passed a negative tuberculin test, administered in accord-



ance with the regulations of the United States Bureau of Animal Industry at the expense of the owner. No shipment of bulls, cows, or heifers exceeding the age of 9 months, unless consigned to and delivered by the transportation company within the confines of the Union Stock Yards, Chicago, the National Stock Yards, East St. Louis, or the Union Stock Yards, Peoria, or any other like public stockyards, shall be accepted for shipment or delivery into the State of Illinois by any person or persons, firm, corporation, or transportation company (unless said cattle are covered by a permit duly executed by the owner or his agent, consigning said cattle in quarantine for feeding or grazing only). Transportation companies before accepting such shipments shall require all permits to be executed in duplicate form by the owner or his agent. One copy shall be attached to the waybill and the agent of the transportation company accepting such shipments shall immediately forward copy of said permit to the State veterinarian, Springfield, Ill.

SEC. 13d. All importation of steers or spayed heifers, including bull and heifer calves under 9 months of age (unless consigned to and delivered by the transportation company within the confines of the Union Stock Yards, Chicago, the National Stock Yards, East St. Louis, or the Union Stock Yards, Peoria ()), or any other like public stockyards, shall be covered by an affidavit specifically specifying their classification as such. In the event of the consignor being a nonresident of the State of Illinois, the consignee, owner of [or] any person or persons to whom said cattle are delivered, shall be required by said transportation company to execute said affidavit before said calves, steers, or spayed heifers are released by the agent of said transportation company. Copy of said affidavit shall be immediately forwarded to the State veterinarian, Springfield, Ill., by the agent of the transportation company making such delivery.

SEC. 13e. Bulls, cows, and heifers accepted by transportation companies for delivery into the State of Illinois, if unloaded en route for feed or water shall be confined in pens under lock and key by the transportation company accepting said shipment for delivery.

SEC. 13f. The obligations assumed by the transportation company at the original point of shipment shall extend to all connecting lines. No additions to the original consignments or substitutions en route shall be permitted by any transportation company.

SEC. 13g. When any bulls, cows, or heifers herein specified are consigned for delivery within the confines of the Union Stock Yards, Chicago, the National Stock Yards, East St. Louis, or the Union Stock Yards, Peoria, or other like public stockyards, they shall not be diverted en route or delivered to the owner or consignee at any other point within the State of Illinois except that named in the original billing.

SEC. 14. Any bulls, cows, or heifers imported into the State of Illinois in violation of the foregoing provisions of this act shall be placed in quarantine by the State board of live stock commissioners, and so held until they have been subjected to and successfully pass a negative tuberculin test administered under the direction of the State board of live stock commissioners at the expense of the owner, shipper, or consignee, which expense shall constitute a lien upon said cattle until said expense has been paid. Any such cattle as may react to said tuberculin test shall be slaughtered under the direction of the State board of live stock commissioners and the owners shall receive only the proceeds resulting from said slaughter after deducting necessary expenses in connection therewith.

SEC. 15. It shall be unlawful to sell, offer for sale, or to purchase any bulls, cows, or heifers known to have reacted to the tuberculin test, except under regulations prescribed by the State board of live stock commissioners, to wit: Bulls, cows, and heifers which have reacted to the tuberculin test, provided they show no physical evidence of disease, may be sold and delivered within the State, provided the purchaser shall first secure a permit from the State board of live stock commissioners, wherein

it is agreed that such reacting cattle shall be kept separate and apart from all non-reacting cattle, and shall be maintained under strict quarantine until released therefrom for sale or slaughter under State or Federal inspection by permit issued by the State board of live stock commissioners.

SEC. 16. The State board of live stock commissioners is hereby charged with the enforcement of the provisions of this act.

SEC. 17. No bulls, cows, or heifers now forming a part of the domestic herds of this State or hereafter born and raised in this State shall be subjected to the tuberculin test by the State veterinarian or his assistants without the consent of the owner thereof.

SEC. 18. Any railroad company, stockyards company, corporation, person, or persons violating any provisions of this act shall be deemed guilty of a misdemeanor and punished by a fine not exceeding \$1,000.

SEC. 19. In all cases where the transportation company is obliged under the provisions of this law to withhold or refuse delivery of cattle, the duty to feed and care for such cattle shall be upon the owner or consignor, or in case of his default in so doing then by the transportation company at the expense of the owner or consignor, and such transportation company shall in such case have a lien upon such animals for food, care, or custody furnished, and such transportation company shall not be liable for any detention to such cattle to enable compliance with the provisions of this act.

SEC. 20. For the purposes of this act stockyards at the Union Stock Yards, Chicago, the National Stock Yards, East St. Louis, or the Union Stock Yards, Peoria, or any other like public stockyards, shall be placed in quarantine.

#### **Maternity or Lying-In Hospitals—License—Regulation of. (Act June 24, 1915.)**

SECTION 1. *Must procure license; revocation.*—All persons, societies, associations, organizations, or corporations conducting, maintaining, or carrying on any maternity or lying-in hospital or other place, public or private, where females may be received, cared for, or treated during pregnancy or during or after delivery, must apply for and obtain license therefor from the State board of administration. Applications shall be made upon the blanks prescribed by said board, and shall be indorsed by six or more persons of good moral character who are regular taxpayers of the county where such maternity or lying-in hospital is located and who shall certify to the respectability of the applicant. If, in the opinion of said board such hospital is to be carried on for legitimate purposes and the persons connected therewith are proper and suitable persons to conduct such hospital, then a license shall be issued.

If at any time after such license is issued any manager, superintendent, or person in charge of such hospital shall have violated any of the provisions of this act, or that such hospital shall fail or refuse to comply with the orders of the State board of administration made pursuant to this act, such license shall be immediately revoked.

SEC. 2. *Information to be kept.*—Every licensee shall keep a register of all persons admitted, the date of birth of every child born on said premises, date of discharge of mother and of child, and if child is placed in a foster home, the name of such foster parent or parents, the address thereof, when placed, and if the child has been legally adopted, and such other information as the State board of administration may from time to time require. A copy of all such information shall be made to said board on the first of each month.

SEC. 3. *Investigation of homes.*—No child from such maternity or lying-in hospital shall be placed in a family, home, or be legally adopted until such home shall have been investigated and approved by the State board of administration.

SEC. 4. *Access to books and institutions.*—The board of administration, through its agents, shall at all times have free access to any hospital licensed under this act and to all its records.

SEC. 5. *Penalty.*—Any manager, superintendent, or person in charge of such maternity or lying-in hospital who fails or refuses to procure a license as provided in section 1

hereof, or any one who violates any of the provisions of this act shall be deemed guilty of a misdemeanor and fined not less than \$50 nor more than \$500, or by imprisonment in the county jail for not to exceed one year, or both fine and imprisonment, in the discretion of the court.

**Garbage—Certain Cities and Villages Authorized to Establish and Maintain Systems and Plants for the Collection and Disposal of. (Act June 25, 1915.)**

SECTION 1. That the city council of each incorporated city in this State, whether organized under the general law or special charter, having a population of less than 100,000 and the president and board of trustees of each village in the State of Illinois having a population of less than 100,000 shall have power to establish and maintain garbage systems or plants for the collection and disposal of garbage in such city or village and may levy a tax not to exceed two mills on the dollar on all the taxable property in the city or village according to the valuation of the same as made for the purpose of State and county taxation by the last assessment, in said city or village for such purposes. Said annual garbage tax shall be in addition to the amount authorized to be levied for general purposes, as provided by section 1 of article 8 of "An act for the incorporation of cities and villages," approved April 10, 1872, and all amendments thereto.

**Mattresses, Quilts, and Comforters—Making, Remaking, and Sale—Labeling (Act June 29, 1915.)**

SECTION 1. That no person shall use, either in whole or in part, in the making of any mattress [mattress], quilt, or bed comforter any secondhand cotton, cotton-felt, hair, wool, shoddy, excelsior, or kapoc[k], or any other soft material which has been made secondhand by use about the person; nor shall any person sell or offer to expose for sale, or be in the possession or with intent to sell or deliver any mattress [mattress], quilt, or bed comforter in which has been used in the making, either in whole or in part, any secondhand cotton, cotton-felt, hair, wool, shoddy, excelsior, or kapoc[k], or any other soft material which has been made secondhand by previous use in or about the person.

SEC. 2. No person shall sell or offer or expose for sale, or be in the possession of with intent to sell or deliver, any mattress [mattress], quilt, or bed comforter which has not plainly written or printed thereon upon a cloth or permanent tag, securely fastened to the outside covering thereof, a statement in English language setting forth the kind of material used for filling and the proportion of each kind of material, if more than one kind of material is used, together with the name of the manufacturer or vendor.

SEC. 3. Nothing herein shall prohibit any person from remaking or renovating, or employing others to remake or renovate for him, any mattress [mattress], quilt, or bed comforter for his own use, but all material used for filling in the remaking or renovating of any mattress [mattress], quilt, or bed comforter, together with the cover thereof, shall be first sterilized and all such remade or renovated mattresses, quilts, or bed comforters shall have plainly written or printed thereon upon a cloth or permanent tag, securely fastened to the outside covering thereof, a statement in English language, setting forth that the same has been renovated or remade, and that the contents and cover have been sterilized, together with the name and address of the person by whom such sterilizing and remaking or renovating was performed.

SEC. 4. Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be fined for each offense in the sum of not less than \$25 nor more than \$100.

**Advertisements—Untrue or Misleading, Prohibited. (Act June 29, 1915.)**

SECTION 1. That whoever, being any person, firm, corporation, or association, in a newspaper, periodical, circular, form, letter, or other publication, published, distributed, or circulated in this Commonwealth, in any advertisement in this Common-

wealth, knowingly makes or disseminates or causes to be made or disseminated any statement or assertion concerning the quantity, the quality, the value, the merit, the ability, the use, the present or former price, the cost, the reason for the price, or the motive or purpose of a sale, of any merchandise, securities, or services, or anything of value, or concerning the method or cost of production or manufacture of such merchandise, or the possession of rewards, prizes, or distinctions conferred on account of such merchandise, securities, services, or thing of value, or the manner or source of purchase of such merchandise or securities or thing of value, with intent to sell or in any wise dispose of such merchandise, securities, services, or thing of value, which is untrue or calculated to mislead, and known to be so by said person at said time, shall be guilty of a misdemeanor, and on conviction be sentenced to pay a fine of not more than \$1,000, or by imprisonment in the county jail not exceeding 60 days, or by both such fine and imprisonment.

## INDIANA.<sup>1</sup>

### Communicable Diseases—Notification of Cases—Quarantine—Placarding—Disinfection—Common Carriers—Schools—Rabies. (Reg. Bd. of H., July 2, 1915.)

**RULE 6. Infectious diseases.**—Blanks for infectious disease statistics supplied by the State board of health are: Report of infectious disease blanks to all health officers; quarterly return blanks sent to county health commissioners. Infectious disease record books shall be purchased by local boards of health.

All cases of infectious and contagious diseases which are listed in rule 10 shall be immediately reported on the official blank to the health officer having jurisdiction by the physician, if any be in attendance; otherwise by the householder or attendant. The health officer receiving said report shall immediately enter the same in his infectious disease record book, and in person or by deputy establish quarantine, as directed in rule 11. All city and town health officers shall preserve the original infectious disease certificates they may receive and send the same to their county health commissioner by the 2d of each month for the month preceding, and said county health commissioner shall use the same for making up his special report, as commanded in rule 1.

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**RULE 10.** The infectious and contagious diseases which shall be immediately reported to the health officer having jurisdiction, and which shall be quarantined, are hereby declared to be: Yellow fever, smallpox, cholera, diphtheria, membranous croup, scarlet fever, measles, epidemic poliomyelitis, cerebrospinal fever, typhus fever, bubonic plague, leprosy, pulmonary consumption, typhoid fever, chicken-pox, whooping cough, trachoma, pellagra, syphilis, and gonorrhea.

*Provided*, Pulmonary consumption, typhoid fever, pellagra, syphilis, and gonorrhea shall not be quarantined, as they are to be reported for record and statistical purposes only, and chicken-pox, whooping cough, measles, contagious ophthalmia, and trachoma shall be carded to warn the public, absolute quarantine not being required: *And provided further*, When a case of trachoma is under approved treatment, as it would not then be transferable, said case shall not then be carded, and shall not be excluded from school.

**RULE 11. Quarantine.**—Health officers, upon learning in any way of the existence of any disease listed in rule 10, within their respective areas, shall immediately, in person or by deputy, quarantine the infected house, rooms, or premises, so as effectually to isolate the case, or cases, and the family, if necessary, in such manner and for such time, as may be necessary to prevent transmission of the disease; and whenever a quarantine is established a placard shall be posted in a conspicuous position, giving the name of the disease in letters not less than 2 inches long, and also having upon the card the following notice: "All persons are forbidden to enter or leave these premises without special permit from the health officer having jurisdiction, and all persons are forbidden to remove or mutilate this card, or to in any way interfere with the quarantine without orders from said health officers."

Quarantine cards shall be purchased by local health authorities from their funds and shall be as ordered in rule 11.

<sup>1</sup> Extraneous matter, which can not properly be considered part of the regulations, and rules intended to prevent fraud upon the public in the sale of foodstuffs, have been omitted in publishing these regulations.

*Violation of quarantine.*—Whoever violates a quarantine, either by entering or leaving the quarantine area, or demolishes or tears away the ropes or other marks whereby the boundaries of a quarantine are defined, and whoever tears down, obscures, destroys, mutilates, or defaces a quarantine placard, or who breaks a quarantine in any way whatsoever, except as provided in rule 13, shall suffer the penalty prescribed in section 3 of chapter 83 of the acts of 1903, to wit: A fine of \$10 to \$50, to which may be added imprisonment in the county jail not exceeding six months.

**RULE 12.** When visiting patients known to be sick with smallpox, scarlet fever, or diphtheria, health officers, nurses, undertakers, and attending physicians shall take reasonable precautions against carrying infection.

**RULE 13.** *Observing quarantine.*—No person other than licensed physicians, undertakers, or nurses, in the discharge of their duties may enter or leave any house or building infected with any communicable disease listed in rule 10, without first procuring permission from the health officer having jurisdiction, and obeying absolutely his directions as to all sanitary precautions which he orders.

**RULE 14.** *Travel forbidden.*—Any person who is, or who has been recently affected with any communicable disease listed in rule 10 (excepting those in which absolute quarantine is not required), shall not be permitted to travel in railway or trolley cars or appear upon the public streets or highways, or to appear in any public place or gathering, or to travel in any public vehicle or vessel, until a certificate is issued by the attending physician to the health officer within whose jurisdiction the case occurs, stating that all danger from infection or contagion by reason of such disease is passed, and such certificate is approved and indorsed by said health officer, and written permission is given to the person.

**RULE 15.** *Physician not in attendance.*—Whenever a health officer shall know or suspect or be informed of the existence of any communicable disease dangerous to the public health, and no licensed physician is in attendance, or should said physician while in attendance fail or refuse to immediately report such case to the health officer, it shall be the duty of said health officer, or deputy, to examine such case or cases of alleged communicable disease dangerous to the public health, and act as required by the rules governing such cases of communicable disease.

**RULE 16.** *Smallpox quarantine.*—In all cases where there has been an exposure or a suspected exposure to smallpox of any person or persons, it shall be the duty of the health officer under whose jurisdiction said person or persons may be temporarily or permanently residing, to quarantine for 14 days or keep under observation such person or persons as may be exposed or suspected of having been exposed to smallpox, and to advise vaccination or revaccination of all who may have been exposed. It shall be the imperative duty of the health officer to enforce this rule, and in case of refusal or neglect by said health officer to comply with the requirements of this rule or other rules, it shall be the duty of the secretary of the State board of health to assume charge, and either in person or by deputy, enforce the foregoing rules. All vaccinations shall be made with nonhumanized virus, the only exception being that, during an epidemic of smallpox, should a sufficient quantity of bovine virus not be obtainable, humanized virus may then be used when sanctioned by the board of health under whose jurisdiction said epidemic may occur. If in the judgment of the health officer, it is deemed safe for an exposed person to be at liberty after vaccination and after disinfection in body and apparel, the said exposed person shall be given a certificate of health and not be placed in quarantine. If the said exposed person changes his or her location, the health officer having jurisdiction shall inform the health officer at the new location.

**RULE 17.** *Disinfection.*—The room and, if necessary, the entire house in which there has been a case of any contagious disease listed in rule 10, shall be immediately disinfected following the recovery of the sick or the removal of the remains, \* \* \* . [The regulations give in detail several methods of fumigation and cleansing and give

advice concerning their use.] Schoolbooks or books from a circulating library shall not be removed from any house during the prevalence of any contagious disease dangerous to the public health, and if such books have been in such house during the prevalence of said diseases, they shall be destroyed by the owner or library authorities or be properly disinfected before returned to schools or put in circulation.

**RULE 18.** *Railways, steamboats, and all common carriers.*—No common carrier or any person shall knowingly bring into the State of Indiana any person sick or suspected of being sick with Asiatic cholera, smallpox, yellow fever, typhus fever, diphtheria, membranous croup, scarlet fever, bubonic plague, leprosy, or other communicable disease dangerous to the public health.

**RULE 19.** When any railway car, steamboat, vessel, or other conveyance, coming from a place or locality declared by the State board of health, or other health authority having jurisdiction, as being infected with cholera, smallpox, typhus fever, bubonic plague, leprosy, scarlet fever, measles, diphtheria, membranous croup, yellow fever, cerebrospinal fever, or having on board any person or persons affected with any of the above-named diseases, enters any port or place in the State of Indiana, such railway car, steamboat, vessel, or other conveyance and the crew, officers, passengers, baggage, merchandise, and freight shall be subject to such inspection, disinfection, and control as may be ordered by the State board of health.

**RULE 20.** If any person is found on any railway car, steamboat, or other conveyance, who is sick, or reasonably supposed to be sick, with cholera, smallpox, typhus fever, bubonic plague, leprosy, yellow fever, cerebrospinal fever, diphtheria, membranous croup, or scarlet fever or measles, he or she shall be immediately removed by the health authorities within whose jurisdiction such person is found and isolated and properly cared for until the termination of the disease, and the necessary expense of such isolation and care (if the person so removed is unable to pay the same) shall be a valid claim against and be refunded by the owners, agents, or assigns of the railway car, vessel, or other conveyance from which such person or persons were removed.

**RULE 21.** In case of smallpox, all persons reasonably suspected of having been exposed thereto, shall be removed from such railway car, steamboat, vessel or other conveyance and disinfected in person and apparel, and held in quarantine until such time as the State health commissioner or health officer having jurisdiction shall deem it safe to the public. In case of typhus fever, all persons reasonably suspected of having been exposed thereto, shall be removed and isolated for 21 days from the last exposure. The clothing of persons so removed and all baggage, luggage, freight or merchandise found on any railway, steamboat, vessel or other conveyance, on which there is any person sick with cholera, smallpox, typhoid fever, cerebrospinal fever, bubonic plague, scarlet fever, measles, or diphtheria and reasonably suspected of having been infected, shall be at once disinfected or destroyed, and such railway car, steamboat, vessel or other conveyance shall also be disinfected, according to the rules governing disinfection.

**RULE 22.** When deemed necessary by the State board of health, to prevent the spread of cholera and after 10 days notice, each and every railway car, traction car, steamboat, vessel, in or coming into the State of Indiana, and used for the transportation of passengers, shall be provided with means satisfactory to said board of health for disinfecting the excreta of passengers and crew.

**RULE 23.** It shall be the duty of any conductor of any railway or traction car, and the master of any steamboat or vessel, to notify immediately by telegram or telephone the secretary of the State board of health at Indianapolis, of any case or suspected case of cholera, smallpox, yellow fever, cerebrospinal fever, diphtheria, scarlet fever, measles, bubonic plague or typhus fever occurring on board such train or electric car, boat or vessel, within the limits of the State of Indiana.

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**RULE 25. Penalties.**—Any person or persons, or any board of health, or health officer, or corporation violating, failing or refusing to comply with either or any of the foregoing rules, will be subject to the penalties provided in the health statutes, wherein these rules are authorized, and shall be prosecuted for such violation or neglect according to the law.

**RULE 26. Appeal.**—In case any person feels aggrieved at any act or decision of a health officer, appeal may be made to the State board of health in session or to its secretary, but pending such appeal the act or decision of said health officer shall stand.

**RULE 27. Quarantine.**—The infectious and contagious diseases which shall be immediately reported to the health officer having jurisdiction and which shall be quarantined are hereby declared to be: (See rule 10) Yellow fever, smallpox, cholera, diphtheria, membranous croup, scarlet fever, measles, typhus fever, bubonic plague, leprosy, cerebrospinal fever, epidemic poliomyelitis, pulmonary consumption, typhoid fever, chicken-pox, whooping cough, trachoma, contagious ophthalmia (pinkeye), syphilis and gonorrhea. *Provided*, Pulmonary consumption, typhoid fever, syphilis and gonorrhea shall not be quarantined, but are to be reported for record and statistical purposes only. Chicken-pox, whooping cough, measles, contagious ophthalmia and trachoma shall be carded to warn the public, absolute quarantine not being required. *And provided further*, That when a case of trachoma is under approved treatment, as it would not then be transferable, said case shall not then be carded and shall not be excluded from school. When quarantine has been established as provided by law the quarantine card or flag shall remain in place until after the patient has been removed from such house or has recovered and is no longer capable of communicating the disease, and the house and contents thereof have been properly disinfected by order of the health officer having jurisdiction.

**RULE 28. Duty of attendants.**—Every physician attending a person affected with any quarantinable disease shall use every precaution to prevent communicating the disease to others. \* \* \*

**RULE 29. Period of quarantine and exclusion from school.**—The minimum period of isolation, quarantine, and exclusion from school in contagious diseases recommended by the State board of health, shall be as follows:

*Smallpox.*—For the patient, quarantine for not less than 21 days and after the beginning of the disease and until all crusts and scales have fallen off or been removed, and the disinfection of patient, clothing, and premises. For exposed persons, quarantine for 14 days from date of last exposure unless successfully vaccinated or protected by a previous attack of the disease, and person and clothing having been disinfected: *Provided*, That persons who have not been previously vaccinated and who shall submit to vaccination may be released from quarantine after disinfection of person and clothing when it has been shown that such vaccination is successful. Exclusion from school for 7 days following the removal of quarantine.

*Scarlet fever.*—For the patient and children in the family with the patient, quarantine for not less than 21 days after the beginning of the disease. Exclusion of the patient and children associated with the patient from school for 10 days after removal of quarantine. Other children of the family may, at the discretion of the health officer having jurisdiction, be disinfected and removed to another house and shall there be isolated and excluded from school for a period of 10 days and then released, provided they remain free from the disease. For adults living in the family with or exposed to the patient: While the house remains quarantined, unless said adults submit to thorough disinfection of the body and clothing and do not come in contact with the patient.

*Diphtheria.*—For the patient, quarantine until the secretions from the nose and throat are free from the diphtheria infection as shown by bacteriological examination of such secretions. For children associated with or in the family with the patient, quarantine until death or recovery of the patient and disinfection of person, clothing,



and premises: *Provided*, That other children of the family who shall receive an immunizing dose of antitoxin of not less than 1,000 units, may be released from quarantine at the discretion of the health officer having jurisdiction, after disinfection of person and clothing. The patient shall be excluded from school until a medical certificate that the nose and throat are free from infection, based upon bacteriological examination, is furnished. Children associated with or in the family with the patient shall be excluded from school for seven days after release from quarantine unless a medical certificate of having received an immunizing dose of not less than 1,000 units of antitoxin is furnished. Adult members of the family may be relieved from quarantine at the discretion of the health officer having jurisdiction, on the condition that they be disinfected in person and apparel and remain away during the quarantine period.

*Cerebrospinal fever*.—For the patient, isolation from the rest of the family and quarantine for not less than 14 days after the first appearance of the disease until death or recovery of the patient and disinfection of the premises. Persons living in a house where the disease is present shall not mingle with the general public until the disease has terminated and the premises have been thoroughly disinfected. And children from said house shall be excluded from school during the quarantine period.

*Measles*.—For the patient, isolation and quarantine for not less than 14 days and until peeling or desquamation has ceased. Patient shall not be permitted to attend school for five days after quarantine has been removed. For other members of the family quarantine is not required, but children in the household must not attend school or other public gatherings or mingle with other children unless satisfactory proof shall be furnished to the health officer having jurisdiction of their having had the disease, in which event the said health officer may, at his discretion, permit the said children to attend school and other public gatherings.

*Whooping cough*.—For the patient, isolation and quarantine for not less than five weeks from the beginning of the disease and until the "whoop" has entirely ceased. For other members of the family quarantine is not required, but children of the same household must not attend school or other public gatherings or mingle with other children unless satisfactory proof shall be furnished of their having had the disease, in which event the health officer having jurisdiction, at his discretion, may permit attendance at school.

*Chicken-pox*.—For the patient, quarantine for not less than 14 days from the beginning of the disease and until all scales and crusts have disappeared. Children living in houses where the disease exists are to be excluded from school two weeks unless satisfactory proof of their having had the disease is furnished.

*Epidemic poliomyelitis*.—For the patient, isolation and quarantine for not less than 28 days from the beginning of the disease. For other members of the family, at the discretion of the health officer having jurisdiction: *Provided*, That the wage earners may be allowed to attend to their work by observing the precautions ordered by the health officer. Other children in the family shall not be permitted to attend school or public gatherings or to mingle with other children for a period of 14 days after the beginning of quarantine.

*Trachoma*.—Cases of trachoma shall be excluded from school until the patient is placed under approved treatment, and such cases shall be readmitted to school only upon certificate from the health officer having jurisdiction that the cases are under approved treatment.

*Contagious ophthalmia*.—Cases of contagious ophthalmia shall be excluded from school until recovery is complete and shall be readmitted to school only upon certificate of the health officer having jurisdiction.

**RULE 30. Disinfection of schoolroom.**—When it is known that a person has attended school while suffering from any of the following named diseases, measles, scarlet fever, (scarlatina), diphtheria (membranous croup), smallpox, cerebrospinal fever, epidemic poliomyelitis, cholera, or bubonic plague, the local health officer shall cause the school-

room occupied by such person to be thoroughly disinfected according to the rules of the State board of health before being used again for school purposes.

**RULE 31. *Exclusion from school.***—When a case of contagious disease is reported it shall be the duty of the health officer having jurisdiction to ascertain the school attended by any child or children from the infected premises and to serve notice upon those in charge of such school requiring that all persons from such infected premises be excluded from the school until a medical certificate with a written permit from the health officer is presented.

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**RULE 32. *Notice to health officers.***—When a person affected with any of the quarantinable diseases has recovered and is no longer able to communicate the disease to others, or has died, the attending physician shall notify the health officer, and as soon thereafter as the health officer deems it advisable the house in which such person has been ill and the contents thereof shall be thoroughly disinfected by the health officer or his deputy, and the quarantine released.

**RULE 33. *Food and food products.***—The sale or use of milk or dairy or food products from the premises where one of the quarantinable diseases exists or where typhoid fever is present is strictly forbidden unless the milk, dairy, or food products are handled, cans and pails washed, and stock cared for by persons entirely segregated from the affected person and family, and then only upon permission of the health officer having jurisdiction.

No milk bottles shall be taken from premises on which a quarantinable disease exists until after the quarantine has been raised and said bottles have been thoroughly cleansed and disinfected by order of the health officer. Milk tickets and bread tickets shall not be taken away from such premises while the premises are under quarantine. Cats and dogs and other domestic animals belonging to premises under quarantine shall be kept out of the house and from contact with patient. Should these precautions not be observed strictly, it shall be the duty of the health officer to cause such domestic animals to be destroyed.

\* \* \* \* \*

**RULE 35. *Sick school children to be sent home.***—Teachers, school trustees, school officials, and health officers having jurisdiction, shall not permit attendance in any private, parochial, or public school of any pupil affected with a severe cough, a severe cold, itch, lice, or other vermin or any contagious skin disease, or who is filthy in body or clothing or odorous therefrom, or who has any of the following dangerous infectious diseases, to wit: Diphtheria, smallpox, scarlet fever, measles, whooping cough, chicken-pox, consumption, acute epidemic poliomyelitis, trachoma, contagious ophthalmia (pink eye). And teachers shall without delay send home any pupil who is obviously sick, even if the ailment is unknown, and said teacher shall inform the parents or guardian of said pupil, and also the local health officer as speedily as possible, and said health officer shall examine into the case and take such action as is reasonable and necessary for the protection of the school and to prevent the spread of infection.

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**RULE 48.** It shall be the duty of the attending physician to immediately report each and every case of epidemic poliomyelitis to the health officer having jurisdiction, giving the name, age, and place of residence of the patient. Cases occurring without incorporated cities or towns shall be immediately reported to the county health commissioner. Cases occurring within incorporated cities and towns shall be immediately reported to the health officer of such incorporated cities and towns.

**RULE 49.** It shall be the duty of county health commissioners and all city and town health officers, whenever a case of epidemic poliomyelitis shall come to their notice, to immediately quarantine the same according to the law and the rules, and immediately report the same to the State board of health at Indianapolis.

**RULE 50. Preventive treatment for rabies.**—Any person applying to the State board of health for free treatment for the prevention of hydrophobia shall be required to furnish a certificate from the health officer in whose jurisdiction the said person received the bite or injury from a dog, or other animal, which certificate shall state the facts relative to the bite or injury and the reasons why such preventive treatment is deemed necessary. \*The certificate shall further state that in the opinion of the health officer granting such certificate, the applicant has no visible or known means with which to pay for the Pasteur preventive treatment.

**RULE 51.** Any person applying to the State board of health for free treatment for the prevention of hydrophobia, shall be required also to furnish a certificate from the trustee of the township in which such said person resides, which certificate shall state that said person was a resident of that township at the time the bite or injury was received and that such person has no visible means with which to pay for or procure the Pasteur preventive treatment.

**RULE 52.** Whenever in the opinion of the secretary of the State board of health a person applying for treatment as provided above has complied with the rules of the State board of health, in regard to such treatment, the secretary of the State board of health shall cause such person to be given the Pasteur treatment at such place and in such manner as in the opinion of the secretary may be necessary and at the least expense compatible with approved treatment. The secretary of the State board of health shall authorize the payment of all necessary expenses connected with the enforcement of the hydrophobia law.

**Tuberculosis—Notification of Cases—Control of—Disinfection. (Act Mar. 5, 1915.)**

**SECTION 1.** That tuberculosis being hereby declared to be an infectious and communicable disease dangerous to the public health, it shall be the duty of every practicing physician in this State to report the name and address of every person known by him to be infected with tuberculosis to the health officer of the city, town, or county in which such person resides, at least [sic] five days after such fact comes to the knowledge of the physician; it shall also be the duty of the chief officer having charge for the time being of any hospital, dispensary, asylum, or other similar private or public institution to report the name, age, sex, color, occupation, place where last employed if known, and the home address of every person having tuberculosis who comes under his care or under his observation, at least five days after such fact comes to his knowledge, to the health officer of the city, town, or county from which such patient comes; and it shall be the duty of every authorized school physician to report the name, age, sex, color, school, and home address of every school child, teacher, or school janitor, having tuberculosis, who comes under his observation in the performance of his duties in connection with the medical inspection of schools, at least five days after such fact comes to his knowledge, to the health officer of the city, town, or county in which such child, teacher, or janitor resides.

**SEC. 2.** The health officer of every city, town, and county in the State shall report monthly to the State board of health, the names and addresses of, and all other information available concerning persons infected with tuberculosis which have been reported to him during that period as provided in section 1 of this act. The State board of health shall appoint a deputy whose duty it shall be, under the direction of the State board of health, to tabulate all such reports received from the health officers of the cities, towns, and counties and to investigate the prevalence, causes, and distribution of human tuberculosis in the State for the purpose of determining its relation to the public health and welfare, and to devise ways and means for restricting and controlling the disease. The results of his investigations shall form a part of the annual report of the State board of health and shall be otherwise distributed as the State board of health may decide among the people of the State for their enlightenment

as to the prevalence and dangers of tuberculosis and the best methods of its cure and prevention.

SEC. 3. The health officer of every city, town, and county, shall as soon as possible after he receives the report of any physician or other authority as provided in section 1 of this act, that a person under their care and observation is suffering from tuberculosis, except in the cases of inmates of hospitals, dispensaries, asylums, or other similar private or public institutions, and also immediately after receiving notice as hereinafter provided of the removal of any such person infected with tuberculosis, ascertain the name and address of the owner or agent of the apartment, home, room, or premises occupied by such person so infected with tuberculosis and notify immediately such owner or agent that an apartment, house, room, or premises, owned or rented by such owner or agent is occupied by a person infected with tuberculosis and further inform him of the duties hereinafter required of him in connection with the death or removal of such person infected with tuberculosis and in connection with the disinfection of such apartment, home, room, or premises, and the penalties for failure to comply with such provisions.

SEC. 4. When any apartment, house, room, or premises, is vacated by the death or removal therefrom of a person infected with tuberculosis, the owner or agent of such apartment, house, room, or premises shall notify the health officer of the city, town, or county in which such apartment, house, room, or premises is situated that such apartment, house, room, or premises has been vacated. Upon receiving such notice such health officer shall himself or through his deputies disinfect such apartment, house, room, or premises in the following manner: All windows, outside doors, and exits of such apartment, house, room, or premises shall be closed and all inside doors, closets, drawers, and shelves of the aforesaid apartment, house, room, or premises shall be open during the process of disinfection for a period of not less than two hours and a separate vessel of the disinfectant hereinafter provided shall be exposed in each room and hall; and in a temperature not lower than 50 degrees above Fahrenheit and with atmospheric moisture of not less than 60 per cent of saturation there shall be used 10 ounces of formaldehyde and 5 ounces of permanganate of potash per 1,000 cubic feet of room space; in a temperature not higher than 50 degrees Fahrenheit and with atmospheric moisture not exceeding 60 per cent of saturation there shall be used 20 ounces of formaldehyde and 10 ounces of permanganate of potash per 1,000 cubic feet of room space. All expenses of such disinfection shall be borne by the city, town, or county in which the aforesaid apartment, house, room, or premises is situated.

SEC. 5. It shall be unlawful for any owner or agent to rent or allow to be occupied any apartment, house, room, or premises vacated by the death or removal therefrom of a person infected with tuberculosis until such apartment, house, room, or premises shall have been thoroughly disinfected as above provided.

SEC. 6. Any physician, any chief officer having charge of any hospital, dispensary, asylum or other similar private or public institution, any authorized school physician, any city, town, or county health officer, or any owner, agent, or any other person violating any provision of this act shall be guilty of a misdemeanor and shall on conviction thereof be fined not less than \$10 nor more than \$50.

#### State Board of Health—Appropriations. (Act Mar. 8, 1915.)

##### FOR THE STATE BOARD OF HEALTH.

For printing, publishing, and distributing Indiana Mothers' Baby Book.....	\$4,000
* * * * *	*
Salary of secretary of State board of health, who is also State health commissioner.....	3,000
Salary of chief clerk and accountant.....	1,500
For attending the meetings of the State board of health, to each of the members of said board, excepting the secretary, for each meeting.....	10

For vital statistics, office expenses, suppression of disease, and other public health work.....	25,000
Maintenance and expenses of laboratory of hygiene.....	10,000
For enforcing the pure food and drug law, purchase of food and drug samples, salaries of employees, transportation and hotel expenses of those necessary to conduct inspections, collect samples, and attend prosecutions, and incidental expenses.....	20,000
For maintenance and expenses of the water and sewage laboratory.....	5,000
Weights and measures department.....	5,000

**County and Local Health Officers—Duties of—Appointment of Deputies—Stationery. (Reg. Bd. of H., July 2, 1915.)**

**RULE 1.** County health commissioners, city, and town health officers shall familiarize themselves with the State health law, the vital statistics law, the quarantine law, the pure food and drug law, and all laws they are to enforce. They shall also familiarize themselves with all the rules of the State board of health for the enforcement of said laws. \* \* \* In June of each year they shall make a sanitary inspection of their respective jurisdictions, making a full record thereof in their regular record books, with which all must be supplied. A copy of the report of said sanitary inspection shall be sent to the State board of health by July 15 following.

County health commissioners shall make a special monthly health report to the State board of health by the 8th of each month for the month preceding, and said report shall give the number of cases reported of typhoid fever, scarlet fever, smallpox, epidemic poliomyelitis, diphtheria, and membranous croup, measles, cerebrospinal fever, tuberculosis, whooping cough, trachoma, contagious ophthalmia (pink eye), syphilis, and gonorrhea; also information concerning epidemics, closing of schools, nuisances abolished, and all obtainable sanitary information. They shall also make quarterly reports of marriages and contagious diseases on the blanks furnished by the State board. All books of record and documents pertaining to the office shall be kept at the county seat, as other county records are kept.

*Appointing deputies.*—County health commissioners may appoint deputies in their counties \* \* \*. The pay of deputies will be whatever county health commissioners and county auditors will allow.

County health commissioners shall make such reports to the State board of health as may be required by said board and shall answer all letters of inquiry of said board.

**RULE 7. Record books, stationery, quarantine cards, etc.**—All necessary printing, such as letter heads, envelopes, circulars, quarantine cards, etc., shall be paid for by county health commissioners, city and town boards of health from their special health appropriations; and said county health commissioners and boards of health shall also purchase, as needed, official record books as follows: Death records, birth records, infectious disease records, and county health commissioners shall add marriage records. City boards of health, in cities having less than 2,000 population, and all town boards of health, shall purchase combination record books, which contain separate divisions for recording births, deaths, and infectious diseases.

**RULE 24. Retiring health officers.**—Retiring health officers shall keep possession of the books of their offices for 10 days after expiration of their terms, in order to make up reports for the last month of their incumbency, and, after said 10 days, the said books, including book of instructions and all blank forms, shall be delivered to the new incumbent, who shall immediately bring them up to date. Boards of health shall withhold the last month's pay of retiring health officers until all books are properly turned over and all reports properly made.

**State Bacteriological Laboratory—Examinations of Specimens. (Reg. Bd. of H., July 2, 1915.)**

**RULE 1.** Health officers shall acquaint themselves thoroughly with the work of the State laboratory of bacteriology and with the prescribed methods of preparing the various kinds of specimens for examination at said laboratory.

**RULE 2.** Health officers shall keep on hand for distribution among the physicians in their localities a complete supply of approved mailing outfits for the collection of specimens to be sent to the State laboratory of bacteriology for examination.

**RULE 3.** Examinations of diphtheria cultures, sputum, blood for malaria and typhoid fever, and pus for gonococci shall not be made unless the specimens are collected in special outfits furnished free of cost by the State board of health, and not then, unless the directions for collecting are strictly followed and the information blanks are completely filled out.

**RULE 4.** Heads of dogs and other animals to be examined for rabies shall not be accepted unless packed in ice in a water-tight container, on which are plainly written the name and address of the sender. Information concerning the animal shall be sent by mail and not inclosed within or attached to the container in which the head is sent.

**RULE 5.** Examinations of pathological specimens, such as curettings, pieces of tumors, pathological fluids, etc., shall not be made except in the case of indigent patients who are unable to pay for such examinations, and not then unless the specimen is preserved in twice its volume of a 5 per cent solution of formalin (1 part commercial formalin to 19 parts water).

**RULE 6.** The charges for transportation of all packages sent to the State laboratory of bacteriology shall be prepaid in full, otherwise they shall not be accepted.

**RULE 7.** All reports of examinations shall be sent by mail, but, if requested, results will be telephoned or telegraphed at the expense of those making the request.

**RULE 8.** No analyses or examinations shall be made which are not related to or of importance to the public health.

**Milk and Milk Products—Production, Care, and Sale. (Reg. Bd. of H., July 2, 1915.)**

**RULE 4. PARAGRAPH 1.** No building shall be used for stabling cows for dairy purposes which is not properly constructed, well lighted, well ventilated, and provided with a suitable solid floor of plank, cement, or other impervious material that can be readily cleaned, and laid with proper grades and channels to carry off all drainage.

**PAR. 2.** No water-closet, privy, cesspool, urinal, inhabited room, or workshop shall be located within any building or room for stabling cows, or for the storage of milk or milk products; nor shall any fowl, hog, horse, sheep, goat, or other animal be kept in any room used for milking or for storing milk or milk products.

**PAR. 3.** All rooms and stables in which cows are milked shall be thoroughly clean and in good repair, and shall be painted or whitewashed once each year.

**PAR. 4.** All manure shall be removed daily from the room or stable in which cows are milked, and shall not be stored where odor from the same will be noticeable at the stable or milk room.

**PAR. 5.** All persons keeping cows for the production of milk for sale shall cause each cow to be kept clean and groomed.

**PAR. 6.** Every person using any premises for keeping cows shall cause the yard or pasture in connection therewith to be provided with a proper receptacle for drinking for such cows, and none but fresh, clean, pure water shall be stored in such receptacle.

**PAR. 7.** Any inclosure in which cows are kept shall be graded and drained so as to keep the surface reasonably dry and to prevent the accumulation of water therein, and no garbage, urine, fecal matter, or similar substances shall be placed or allowed to remain in such inclosure, and no open drain shall be allowed to run through it.

**PAR. 8.** All milk shall be removed, as soon as drawn, from the stable to the milk room. The milk room shall be separate from the stable in which the cows are kept

and shall not be used as a living or sleeping room, but shall serve for the handling and keeping of milk and cream exclusively. It shall be sanitary in construction, properly screened, supplied with proper ventilation, light, and pure water, and suitable facilities for straining, cooling, and storing milk or milk products, and for washing and sterilizing all utensils and apparatus in which milk is removed, stored, and delivered.

PAR. 9. All utensils used for the reception, storage, or delivering of milk or cream shall be made of glass, stoneware, glazed metal, or tinplate free from rust and of sanitary construction.

PAR. 10. All cans, pails, strainers, coolers, dippers, separators, bottles, churns, butter works, and other dairy utensils shall be cleansed from all remnants of milk and scalded with boiling water or live steam after each use.

PAR. 11. All milk shall be strained through clean 80-mesh wire strainers, or properly sterilized cloth, and shall be cooled to 60° F. or below within one hour after it is drawn from the cow. It shall be kept at 60° F., or below, until it leaves the farm, and if retailed to the consumer until delivered. Warm milk shall not be mixed with cold, but shall be kept in separate vessels until properly cooled.

PAR. 12. All milk or cream cans delivered to creameries or dealers in cities shall be covered with tight-fitting lids, and when conveyed in open wagons shall be covered with clean canvas while being so conveyed.

PAR. 13. No person, firm, association, or corporation buying, storing, or receiving milk for the purpose of selling the same for consumption as such, or for manufacturing it into butter, cheese, ice cream, condensed milk, or other human food, shall keep the same in utensils, cans, vessels, or rooms that are unclean, or have unsanitary surroundings or drainage, or under conditions favorable to unhealthfulness or disease, and milk to be sold for consumption as such, within one hour after receiving the same shall be cooled to a temperature not higher than 60° F., and shall be kept at such temperature until delivered.

PAR. 14. Every person engaged in the production, storage, transportation, sale, delivering, or distribution of milk, immediately on the occurrence of any case or cases of infectious disease, either in himself or his family or amongst his employees or their immediate associates, or within the building or premises where milk is stored, sold, or distributed, shall notify the secretary of the board of health of the town or city where such milk is sold.

PAR. 15. No person having an infectious disease or having recently been in contact with a person having an infectious disease, shall milk or handle cows, measures, or other vessels used for milk or milk products intended for sale until all danger of communicating such disease to other persons shall have passed, as determined by the secretary of the local board of health.

PAR. 16. No vessels which have been handled by persons suffering from infectious diseases shall be used to hold or convey milk until they have been thoroughly sterilized.

PAR. 17. No bottle, can, or receptacle used for the reception or storage of milk shall be removed from a private house, apartment, or tenement wherein a person has an infectious disease until such bottle, can, or receptacle shall have been properly sterilized under the direction of the secretary of the local board of health.

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RULE 17. *Bad cream.*—Milk or cream shall not be sold which is decomposed, putrid, or rotten, or which is produced by sick or diseased cows or by cows kept at a dairy which is unclean and in violation of the rules of the State board of health regulating the sanitation of dairies and the sale of milk and cream, or by cows kept at a dairy which has been condemned by an agent or inspector of the State board of health or by a county, city, or town health officer, during such period of condemnation.

RULE 18. *Cream, butter, cheese, and other milk products.*—Butter, cheese, and other milk products shall not be manufactured for sale from milk produced at a dairy which has been condemned by an agent or inspector of the State board of health or by a county, city, or town health officer, during such period of condemnation.

**Foodstuffs—Sale and Protection. (Reg. Bd. of H., July 2, 1915.)**

**RULE 7. Bleached flour.**—The sale of flour bleached with the oxides of nitrogen, chlorine, or otherwise artificially bleached is in violation of the law and such bleached flour shall not be sold unless the barrel, bag, sack, or other receptacle has on its head or side as a part of the principal label the words "Bleached flour" in plain black gothic letters at least 1 inch in height.

**RULE 8. Sidewalk display of foodstuffs.**—Fruits, vegetables, and other food products shall not be displayed or stored on the sidewalk or outside the place of business unless they are securely covered by cases of glass, wood, or metal or inclosed in tight boxes, bags, or barrels, and all such cases or containers shall be raised at least 2 feet above the sidewalk. The practice heretofore followed of covering small fruits with screens or nettings is not sufficient compliance with this rule. This rule shall not, however, apply to fruits and vegetables which have to be skinned or peeled before use and which are stored in tight barrels, boxes, or crates.

**RULE 9. Unprotected foodstuffs.**—Prepared foodstuffs, such as bakers' goods, confectionery, shelled nuts, etc., dried fruits, such as dates, figs, peaches, prunes, apricots, etc.; cereal products, such as tapioca, breakfast foods, noodles, etc.; pickled products, such as pickles, chili sauce, chow-chow, etc.; fruit products, such as apple butter, jellies, jams, etc.; meat products, such as dried, salted, or smoked fish, veal loaf, pickled pigs' feet, mincemeat, chipped beef, boiled ham, or other foods prepared for eating or subject to attack of worms or flies, and all fresh meats, whether in large or small cuts, chopped meats, sausage, liver, hearts, and all other edible meats, shall not be displayed for sale unless protected from flies, dust, dirt, and all other foreign or injurious contamination by suitable coverings of glass, wood, or metal.

**Meat and Meat Products—Sale and Protection. (Reg. Bd. of H., July 2, 1915.)**

**RULE 21. Meat and meat products** which are piled on unprotected counters and meat blocks are not properly protected, and the display of meats intended for sale as now practiced by butchers and dealers in meat is in violation of law.

In order that the sale of meats may be conducted under sanitary conditions and in conformity with the laws of the State, butchers and dealers in meat are hereby instructed that carcasses and parts of carcasses dressed for sale for food, fresh-meat products of every description, such as Hamburg steak, sausage, etc., poultry and game, fish and fish products, etc., must at all times be kept in a refrigerator, cold-storage room or ice box or, if displayed for sale, properly protected by glass, wood, or metal cases.

Dealers shall be permitted to keep on the meat block only such parts of carcasses as may be necessary to the expeditious conduct of their business. This rule shall not apply to hams and bacons wrapped in paper, burlap, or other impervious material or to the lard which is kept covered in containers. Whole carcasses of hogs, sheep, or veal and quarters of beef, hams, bacon, smoked shoulders, and other smoked-meat products prepared in skins may be hung outside the refrigerator or cold-storage room only when protected from flies, dust, dirt, and all other foreign or injurious contamination by clean, white curtains of cloth or other suitable material.

**Acid Drinks and Foodstuffs—Manufacture or Storage of, in Zinc Lined or Galvanized Metal Containers Prohibited. (Reg. Bd. of H., July 2, 1915.)**

**RULE 6.** Whereas it is known that citric, tartaric, and other fruit and vegetable acids will dissolve zinc, forming citrates, tartrates, and other salts of zinc which are injurious to health; therefore,

Zinc lined or galvanized metal containers shall not be used in the manufacture and for the storage of acid drinks and other acid food products.



**Cold Storage—Regulation of. (Reg. Bd. of H., July 2, 1915.)**

**RULE 16. PARAGRAPH 1.** For the purpose of the enforcement of this act [ch. 71, acts 1911] it is held that a cold-storage or refrigerating warehouse is an establishment employing refrigerating machinery or ice for the purpose of refrigeration in which foods are stored for 30 days or more at a temperature of 40° F. or below. The words "for temporary protection only" as used in section 1 of the act shall be construed to mean the holding of food products for not more than 30 days.

**PAR. 2.** Foods placed in cold-storage or refrigerating warehouses which maintain rooms for temporary protection only, as defined in rule 1, shall not be required to be marked, stamped, or tagged. Such storage rooms shall keep a full and complete record of the entry and withdrawal of all food products stored therein for temporary protection only.

**PAR. 3.** Hotels, restaurants, and all other places of business employing refrigerating machinery or ice for the purpose of refrigeration, whether for public or private use, are hereby classed as cold-storage or refrigerating warehouses except in such instances where the products stored therein are held for less than 30 days.

**PAR. 4.** Foods held at low temperature during the process of manufacture, as is the case with lager beer, and meat products being cured in pickle or dry salt, shall not be considered to be in storage as defined by this act and need not be stamped.

**PAR. 5.** All marking, stamping, or tagging shall be plainly legible and shall show the day, month, and year of the date of entrance and removal, in letters and figures not less than three-eighths of an inch in height and of a style known as 36-point gothic No. 8. The letters or figures shall be in black or purple ink, and if the foods are tagged the tag shall be securely fastened on the package by tacks, nails, strings, or glue in such fashion that it can not be detached.

**PAR. 6.** All foods on hand at the end of nine months, as described in section 2 of the act, shall be reported to the State board of health and inspected and passed as suitable for food and in accord with the provisions of the pure-food law, chapter 104, acts 1907, and the sanitary food law, chapter 163, acts 1909, before being withdrawn. Such inspection shall be made by the inspectors of the State board of health or by other persons designated by the State food and drug commissioner to make such inspection.

**Free-Lunch Places—Sanitary Regulation. (Reg. Bd. of H., July 2, 1915.)**

**RULE 22.** All paragraphs of the pure-food law, acts 1907, chapter 104, of the sanitary food law, acts 1909, chapter 163, and all rules of the State board of health governing the sanitary conditions at food distributing establishments and requiring the protection of food exposed for sale are hereby declared in force and effect in all so-called free-lunch places or other places where food is given away or distributed to patrons without charge.

All food shall be protected from flies, dust, dirt, and all other foreign or injurious contamination by suitable coverings of glass, wood, or metal. All dishes and utensils shall be thoroughly cleaned by washing with soap in hot water after each service. Individual forks, knives, and spoons shall be supplied each patron.

**Soda Fountains—Sanitary Regulation. (Reg. Bd. of H., July 2, 1915.)**

**RULE 23. Requiring individual drinking and service cups.**—The use of common cups or glasses at lemonade and other liquid beverage stands is hereby declared insanitary and dangerous to health and is forbidden unless adequate provision is made for washing and sterilizing such cups or glasses after each service.

All dealers in beverages who are not provided with running water, with soap, in which to wash and sterilize glasses and serving dishes are hereby instructed to use individual cups of paper or other material which, after once using, are to be destroyed.

**RULE 24. Operation of soda fountains.**—In order that the sale of ice cream, sodas, and soda fountain sundries may be conducted under sanitary conditions and in conformity with the laws of the State, the operators of ice cream parlors and soda fountains are hereby instructed that all such goods shall be dispensed only in sterile containers. To this end it is ordered that all soda fountains and ice cream parlors be provided with facilities for washing dippers, glasses, spoons, and serving dishes and operated under the following conditions:

1. An adequate supply of pure water.
2. All dishes and utensils shall be washed by rinsing in cold water, then by thoroughly washing in water with soap or suitable cleansing powder, then by rinsing in clean cold water.
3. Where it is not possible to provide hot water or running cold water the use of paper cups and linings will be allowed.
4. Refrigerators at soda fountains shall be kept clean by washing with hot water and soap or washing powder.
5. Employees in ice cream parlors and soda fountains shall be cleanly in person and dress, free from infectious and contagious disease, and trained in the conduct of their work.
6. The use of straws is forbidden except when such straws are kept protected from dust and dirt in suitable containers.
7. As soon as empty, ice cream, milk, and cream cans shall be rinsed in cold water.

**Births, Deaths, and Marriages—Registration of. (Reg. Bd. of H., July 2, 1915.)**

**RULE 2. Registration areas.**—The registration areas shall be: County area, which is the area outside of the corporation of cities and towns; the city area and town area, which are, respectively, the areas within the corporation of cities and towns.

County health commissioners shall collect and record the vital statistics from the respective county areas, and city and town health officers for their respective city and town areas.

**RULE 3. Deaths.**—Blanks for death statistics supplied by the State board of health are: Death certificates, death certificates (coroners'), burial permits, no birth or death cards, official envelopes, monthly statement cards. Death record books shall be purchased by local boards of health. The physician in attendance at a death, or the householder, if no physician is in attendance, shall immediately make out a death certificate and personally deliver said death certificate, or instruct that it be delivered, to the health officer or deputy having jurisdiction, who, upon receipt of the same, provided said certificate is completely filled out, is written in ink or indelible pencil, and is otherwise acceptable, shall make out a burial permit, for which no fee shall be charged. Said burial permit is valid in all parts of the State. When no physician is present at a death, and the householder can not be found, and it is not a coroner's case, the health officer shall make out the death certificate and sign it. All health officers shall immediately copy into their death record books all death certificates they receive which belong to their jurisdictions, and, carefully preserving said certificates, shall send them to the State board of health, in the official envelopes, on the 4th of each month, for the month preceding; and there shall always be inclosed with the said certificates a monthly statement card, filled out according to the blanks on said card. In the event any health officer has no deaths to report for his jurisdiction, in any month, then he shall send to the State board a "No birth or death card," to show the matter of reporting has not been overlooked. If a health officer receives a certificate of death which does not belong to his jurisdiction, he shall, after issuing a burial permit thereon, immediately send said certificate to the officer of the jurisdiction to which it does belong. When a death occurs outside of the State, and the remains are brought into the State for interment, the burial permit shall be based upon the transportation permit, and no record of said death is required.

**RULE 4. Births.**—Blanks for birth statistics supplied by the State board of health are birth certificates, supplemental report of births, "No birth or death cards," official envelopes. Birth record books shall be purchased by local boards of health.

All births shall be reported within 36 hours after occurrence, upon official birth blanks, by the physician or midwife in attendance, if any, otherwise by the householder; all births for the county areas being directly reported to the county health commissioner and all births for city and town areas to their respective officers. Health officers shall immediately record births in the birth record books, and on the 4th day of each month all original birth certificates in the hands of health officers shall be sent to the State board of health. A child born dead at seven months' gestation or over shall be reported and recorded both as a birth and a death, and a burial permit is required as in the case of a regular death.

In the event the child born is illegitimate, the physician or midwife in attendance shall give as name of the father such name as is supplied by the mother or her friends, but he shall not in any degree be responsible for the same. An illegitimate child takes the name of the mother.

**Supplemental birth report.**—If a certificate of birth of a living child is presented without statement of the given or Christian name, then the local health officer shall deliver to the attending physician or midwife or to the mother or father a blank "Supplemental report of birth," which shall be filled out by the person receiving same with the full name of the child, including the given or Christian name and surname, as soon as said child shall be named, and said mother or father shall forthwith send or deliver the properly filled out blank to the health officer of the area in which the birth occurred. The original certificate of birth shall not be considered to be complete until such statement of given or Christian name shall be filed or the blank returned with the statement, "Died unnamed."

**RULE 5. Marriages.**—Blanks for marriage statistics supplied by the State board of health are marriage returns, which are sent direct to county clerk from the State board; quarterly return blanks supplied only to county health commissioners by State board. Marriage record books shall be purchased by local boards of health.

All ministers and other persons authorized to perform marriages shall report on official blanks each marriage they may perform to the clerk of the county wherein the marriage license was issued within three days after the marriage, and the said clerk shall report said marriages to the county health commissioner on or before the 4th day of each month for the month preceding, and the county health commissioner shall record each marriage in the official marriage record book. The county health commissioner shall also, each quarter, fill out the marriage blanks he receives from the State board of health and then send said blanks to the State board within 10 days after the end of each quarter.

**Burial—Funerals—Transportation of Dead Bodies—Communicable Diseases.**  
(Reg. Bd. of H., July 2, 1915.)

Blank burial permits are supplied by the State board of health.

**RULE 8.** Human remains, exceeding seven months' gestation, shall not be buried without a permit issued by a health officer or deputy, and no permit shall be issued unless the health officer or deputy has in hand a certificate of death properly filled out in ink or indelible pencil. In all cases of death from cholera, bubonic plague, leprosy, typhus fever, yellow fever, smallpox, diphtheria, membranous croup, scarlet fever, and cerebrospinal fever the funeral shall be strictly private and the burial shall be made according to the rules of the State board of health. No public or church funeral shall be held or any person permitted to enter the house containing the remains, except the relatives of the deceased, the minister, the undertaker and his (their) assistants, unless by permission of the health officer.

**RULE 9.** Buried human remains shall not be disinterred or removed without permission from the State board of health, and blank applications for disinterment and removal may be had at any time upon application to said State board.

*Disinterment.*—When disinterment and reinterment is to be made in the same cemetery, no permit is required. Bodies which have lain over one week in a vault are to be regarded as buried, and must not be removed, buried, or otherwise disposed of without a permit: *Provided*, That bodies in a receiving vault when prepared by a licensed embalmer shall not be regarded as disinterred bodies until after the expiration of 30 days. If remains are deposited in a vault and subsequently removed for burial in the same cemetery, no permit is required.

\* \* \* \* \*

**RULE 53.** A transit permit and transit label issued by the proper health authorities shall be required for each dead body transported by common carrier.

The transit permit shall state the name, sex, color, and age of the deceased, the cause and date of death, the initial and terminal points, the date and route of shipment, a statement as to the method of preparation of the body, the date of issuance, the signature of the undertaker, the signature and the official title of the officer issuing the permit. The transit label shall state the place and date of death, the name of the deceased, the name of the escort or consignee, the initial and terminal points, the date of issuance, the signature and official title of the officer issuing the permit, and shall be attached to the outside case.

**RULE 54.** The transportation of bodies dead of smallpox, plague, Asiatic cholera, typhus fever, diphtheria (membranous croup, diphtheritic sore throat), scarlet fever (scarlet rash, scarlatina), shall be permitted only under the following conditions:

The body shall be thoroughly embalmed with an approved disinfectant fluid, all orifices shall be closed with absorbent cotton, the body shall be washed with the disinfectant fluid, enveloped in a sheet saturated with the same, and placed at once in the coffin or casket, which shall be immediately closed, and the coffin or casket or the outside case containing the same shall be metal or metal lined and hermetically and permanently sealed.

**RULE 55.** The transportation of bodies dead of any disease other than those mentioned in rule 54 shall be permitted under the following conditions:

(a) When the destination can be reached within 24 hours after death, the coffin or casket shall be incased in a strong outer box made of good sound lumber not less than seven-eighths of an inch thick; all joints must be tongued and grooved, top and bottom put on with cleats or crosspieces, and all put securely together.

(b) When the destination can not be reached within 24 hours after death, the body shall be thoroughly embalmed and a coffin or casket placed in an outside case constructed as provided in paragraph (a).

**RULE 56.** No disinterred body dead from any disease or causes shall be transported by common carrier unless approved by the health authorities having jurisdiction at the place of disinterment, and transit permit and transit label shall be required as provided in rule 53. The disinterment and transportation of bodies dead of diseases mentioned in rule 54 shall not be allowed except by special permission of the health authorities at both place of disinterment and the point of destination.

All disinterred remains shall be inclosed in metal or metal-lined boxes and hermetically sealed: *Providing*, That bodies in a receiving vault when prepared by a licensed embalmer shall not be regarded as disinterred bodies until after the expiration of 30 days.

**RULE 57.** The outside case may be omitted in all instances when the coffin or casket is transported in hearse or undertakers' wagon.

**RULE 58.** Every outside case shall bear at least four handles, and when over 5 feet 6 inches in length shall bear six handles.

**RULE 59.** An approved disinfectant fluid shall contain not less than 5 per cent of formaldehyde gas. The term "embalming" as employed in these rules shall require the injection by licensed embalmers of not less than 10 per cent of the body weight, injected arterially in addition to cavity injection, and 12 hours shall elapse between the time of embalming and the shipment of the body.

**Hogs—Feeding of, with Uncooked Slaughterhouse Offal or Uncooked Flesh of Dead Animals Prohibited.** (Reg. Bd. of H., July 2, 1915.)

**RULE 5.** Whereas it is known that hogs fed upon raw slaughterhouse offal or upon dead animals frequently acquire tuberculosis, trichinosis, and other parasitic diseases, thus making their flesh dangerous as food; therefore,

Hogs shall not be fed any uncooked slaughterhouse offal or the uncooked flesh of dead animals.

**Schools—Sanitary Regulation.** (Reg. Bd. of H., July 2, 1915.)

**RULE 34. *Overcrowding in schools forbidden.***—School authorities shall not crowd pupils into schoolrooms in excess of one pupil for each 225 cubic feet of space, and it shall be the duty of all health officers having jurisdiction, to dismiss forthwith any school or schoolroom [sic] in which 225 cubic feet of air space is not supplied to each pupil. School authorities shall without delay make provisions for pupils in accordance with the requirements herein set forth.

\* \* \* \* \*

**RULE 36. *Ventilation.***—Ventilation must be carefully attended to in all schoolrooms, and it shall be the duty of teachers to flood the schoolrooms with fresh air by opening windows and doors at recess and at noon time and at other times whenever the air becomes close or foul. The pupils shall be given gymnastic exercises during the time windows are open with the school in session, in cold weather.

**RULE 37. *Adjustable seats and desks.***—When adjustable seats and desks are used, such seats and desks shall be carefully adjusted to the pupils using them and this adjustment changed once or twice in the school year as required, to allow for the growth of the pupil. Especial care in seating is to be given to crippled children. Those suffering with hip or knee diseases where the joints are immovable, shall be given a seat with the desk placed 8 or 10 inches farther away than ordinary to permit a greater range of motion. If one of the lower limbs be shortened, a proper foot-rest shall be supplied for the shortened member. Cases of curvature of the spine should have a pad upon which to rest the back.

**RULE 38. *The common towel.***—The use of common towels in schools is condemned and such use is prohibited. Each pupil must have an individual towel, or sanitary paper towels shall be provided.

**RULE 39. *Common drinking cup.***—The use of a common drinking cup in schools is condemned and such use is prohibited. Each pupil must have an individual drinking cup or sanitary bubble fountain shall be provided.

**RULE 40. *Pencils.***—The common use of pencils is condemned and prohibited on account of the danger of transmitting disease from one pupil to another by the interchange of pencils. When a pencil is furnished a pupil it shall be the property of that pupil to be kept by him and not to be taken up and given out again by the teacher.

**RULE 41. *Care of floors.***—All floors, except hardwood and tile, must be oiled to prevent dust nuisance. Before oiling, the floor must be thoroughly scrubbed and dried. The oil must then be lightly and evenly applied to the floor following the grain of the wood. This scrubbing and oiling of floors shall be repeated in the holiday vacation and in schools having a nine or ten months' term, this work shall be repeated again in the spring vacation.

**RULE 42. *Sweeping and dusting.***—Dry sweeping and dusting is condemned and prohibited. Before sweeping, light sprinkling of the floor with water or the use of dampened or oiled sawdust is recommended. Feather duster shall not be used. Such dusting merely causes the dust to float in the air of the room, to be breathed by the pupils or to settle down to be again dislodged by subsequent dusting. In dusting, an oiled cloth shall be used to gather the dust. Dusting or sweeping either in corridors, stairways, or classrooms, is prohibited at any time while the school is in session.

**RULE 43. *Obstruction to doors and stairways.***—No outside doorway or entrance to school buildings shall be fastened shut at any time while school is in session. It is recommended that all doors opening to the outside be fitted with automatic opening devices. Brooms, stepladders, tools, etc., shall not be allowed to stand in corridors, stairways, or behind doors at any time.

**RULE 44. *Heating stoves.***—Whenever stoves are used for heating, they shall be surrounded by screens to protect the pupils who must sit near the store. Such screens shall be constructed of two sheets of metal with an air space or layer of asbestos between the metal sheets.

**RULE 45. *Care of basements.***—Basements shall be kept clean at all times, not by the use of lime, ashes, or disinfectants, but by being kept free from all filth, dirt, or accumulations of any kind.

**RULE 46. *Blackboards and erasers.***—Blackboards and erasers shall not be cleaned at any time when school is in session, nor shall such cleaning be done by pupils at any time. Janitors shall see that accumulated chalk dust is thoroughly removed every day and erasers shall be cleaned outside the school building.

**Open-Air Schools—Establishment and Maintenance—Toilet Facilities for Schools.**  
(Act Mar. 3, 1915.)

**SECTION 1. (f)** It is hereby made lawful for any township trustee, board of school trustees, and boards of school commissioners to establish and maintain open-air schools, and when such open-air schools are established the provisions of this act governing heating and ventilation shall not apply to such open-air schoolrooms.

**(g)** Water-closets, or dry closets when provided, shall be efficient and sanitary in every particular and furnished with stalls for each hopper or place; and when said water or dry closets are not provided, then sanitary outhouses, well separated for the sexes, shall be provided. Good, dry walks shall lead to all outhouses and screens or shields be built in front of them. Outhouses for males shall have urinals arranged with stalls and with conduits of galvanized iron, vitrified drain pipe, or other impervious material, draining into a sewer vault or other suitable place approved by the health authorities. Any agent, person, firm, or corporation, selling, trading, or giving to any township trustee, school trustee, or board of school commissioners any material, supplies, sanitary apparatus, or systems, which when constructed or remodeled or installed, in or for any schoolhouse hereafter constructed or remodeled, which does not in all respects comply with the provisions of this act, shall be guilty of a misdemeanor and upon conviction thereof, shall be fined in any sum not more than \$500, to which may be added imprisonment in the county jail for any determinate period not more than six months and shall be punished by a further fine of not less than \$5 for each day he shall fail to comply with any order of any court having jurisdiction for the correction of any such defects in such schoolhouses hereafter constructed or remodeled; and any money claim for the construction or remodeling, or for any materials, supplies, sanitary apparatus or systems furnished or constructed in or for any schoolhouse hereafter constructed or remodeled, which does not in every way and in all respects comply with the requirements of this act shall be null and void.

**Health Laws—Revision and Codification. (Act Feb. 22, 1915.)**

SECTION 1. That a commission is hereby created to prepare a revision and codification of the statutes of Indiana on matters concerning health and medicine, including the laws on the subject of manufacture, handling, and sale of drugs, medicine, narcotics, and poisons; the sale of intoxicating liquors for medicinal purposes; the practice of medicine, dentistry, nursing, pharmacy, and veterinary science. In making the revision and codification the commission shall omit obsolete and repealed matter, clarify and abridge the language wherever possible, and shall set forth the existing statutes in clear and unambiguous language. The commission may also report amendments needed to clarify the law, but such proposed amendments shall be clearly indicated.

The commission shall do all other acts necessary for the proper codification and revision of such laws.

SEC. 2. The commission shall be composed of the secretary of the State board of health, the secretary of the Indiana State Board of Pharmacy, the secretary of the Indiana State Board of Registration and Examination, and the director of the bureau of legislative and administrative information, and one additional member to be appointed by the governor.

The commission shall serve without compensation.

SEC. 3. The commission shall prepare the revision and codification provided for in section 1 in the form of a bill or bills and the same shall be presented, together with a report containing explanations thereof, to the next regular session of the general assembly.

The work of preparing the drafts of bills shall be done by the bureau of legislative and administrative information, and the same shall be reported to the commission on or before October 1, 1916, and upon the recommendation of the commission, the bills prepared shall be printed by the commissioners of the public printing, binding, and stationery.

## IOWA.

### Communicable Diseases—Whooping Cough, Measles, Mumps, and Chicken-Pox— Notification of Cases—Placarding. (Act Apr. 10, 1915.)

SEC. 2571-1a. *Physician to report whooping cough, etc.*—The physician attending cases of whooping cough, measles, mumps, or chicken-pox shall be required to report the same to the local board of health. In case there is no attending physician, it shall be the duty of the parents or guardian or school teacher to report same to the local board of health. [36 G. A. (H. F. 136, sec. 1.)]

SEC. 2571-2a. *Warning signs posted.*—It is the duty of the local board of health to cause a card with the name of the disease printed upon it to be placed upon the home where the patient resides, which shall act merely as a warning to the public. [36 G. A. (H. F. 136, sec. 2.)]

SEC. 2571-3a. *Not a quarantine.*—That this act is not to be regarded as a quarantine but merely as a notice to the public. [36 G. A. (H. F. 136, sec. 3.)]

### Communicable Diseases—Method of Disinfection. (Gen. Order No. 1, Bd. of H., Nov. 3, 1915.)

Because of the high price of permanganate of potash, used for disinfecting purposes, and because there seems to be no prospect of its becoming less for some time to come, the Iowa State Board of Health issues the following order as to disinfection:

First, all clothing should be boiled and washed thoroughly which can be washed, and all other clothing should be properly aired and exposed to the sunlight.

Second, all woodwork and surfaces should be washed thoroughly with good soap and water, together with all furniture and utensils used about the sick.

Third, disinfection by the formaldehyde method may be performed as follows:

*Formaldehyde disinfection by the sheet method.*—1. Prepare room for disinfection as given in the rules.

2. Suspend an ordinary bed sheet (2 by 1½ yards) by one edge from a line stretched across the middle of the room. The ordinary rather coarse cotton sheet should be used in order to secure rapid evaporation.

3. Sprinkle 8 ounces of formaline—the 40 per cent solution of formaldehyde gas—on the sheet. This sprinkling may be done with a rose-head sprinkler such as is used by florists.

The above quantity is sufficient for disinfecting 1,000 cubic feet of room space. If more space is to be disinfected, increase proportionately the number of sheets and amount of formalin.

4. Keep room closed for at least eight hours.

Fourth, it is quite necessary to follow all of the means of prevention which have been mentioned in the bulletins heretofore, as proper care during a sickness is a real prevention.

With the exercise of due care, the waste products which act as vehicles for the infectious agents of our common and occasional scourges may be so effectively dealt with from hour to hour and from day to day as to make the aftertreatment of the room and its contents somewhat of a mere form, carried out as a matter of routine practice or in order to make assurance doubly sure.



**Tuberculosis—Care of Patients by Counties. (Act Apr. 12, 1915.)**

SEC. 409-t1. *Repeal.*—Section 409-t, supplement to the Code, 1913, is hereby repealed. [36 G. A. (H. F. 352, sec. 4.)]

SEC. 409-t2. *Board of supervisors to provide care for indigent tubercular persons.*—That the board of supervisors of each county in this State shall provide for suitable care and treatment of persons suffering from tuberculosis and who are financially unable to provide for themselves and who have no relatives liable for their support. [36 G. A. (H. F. 352, sec. 1.)] [35 G. A., ch. 40, sec. 1.]

SEC. 409-t3. *Same.*—That in compliance with the foregoing, boards of supervisors may construct or otherwise secure, equip and operate such suitable buildings for the proper segregation and maintenance of said designated persons, or the board of supervisors shall place such persons found to be indigent and suffering from tuberculosis in institutions where suitable care and treatment may be given: *Provided*, That the care and treatment of all persons found to be indigent and suffering from tuberculosis shall be approved by the State board of control. [36 G. A. (H. F. 352, sec. 2.)]

SEC. 409-t4. *Allowance for support; appropriation for buildings; election authorizing greater expenditure.*—The board of supervisors shall allow for the care and support of each patient when in such designated institution, a sum not exceeding \$15 per week, from the poor fund: *Provided*, That in counties of 67,000 or over, population, a sum not to exceed \$15,000, in counties of 15,000 or over population, and less than 67,000, a sum not to exceed \$5,000, and in counties of less than 15,000 population, a sum not to exceed \$2,000 may be appropriated out of county funds for constructing, acquiring and equipping buildings without submitting the same to a vote of the qualified electors. The board of supervisors may submit the question of expending a greater amount than above specified by a vote of the qualified electors of the county at any general election and may for such purposes expend the amount authorized by said vote. [36 G. A. (H. F. 352, sec. 3.)]

**Bacteriological Laboratory of the State University—Duties of—Appropriations. (Act Apr. 21, 1915.)**

SEC. 2575-a7. *Establishment; source of epidemics; examinations of water.*—The bacteriological laboratory of the medical department of the State university at Iowa City is hereby established as a permanent part of the medical department of the university work, and it shall in addition to its regular work perform all scientific analyses and tests, chemical, microscopical or other scientific investigations, which may be required by the State board of health, and it shall make prompt report of the results thereof, under such rules and regulations as the said State board of health may from time to time adopt. This laboratory shall in addition to the above prescribed duties make or cause to be made, bacteriological and chemical examinations of water whenever requested so to do by the State board of health or any State institution, or by any citizen, school or municipality when in the judgment of the local board of health such is necessary in the interest of the public health and for the purpose of preventing epidemics of disease. Such examinations shall be made without charge except for transportation charges, and actual cost of examination not to exceed \$2.

This laboratory shall also make the necessary investigations by both laboratory and field work to determine the source of epidemics of disease and to suggest methods of overcoming such epidemics and to prevent the recurrence of such, whenever requested so to do by the State board of health, the executive officer of a State institution, or a local board of health. A copy of the report of every epidemiological investigation shall be sent to the secretary of the State board of health. [36 G. A. (S. F. 637, sec. 1.)] [30 G. A., ch. 101, sec. 1.]

SEC. 2575-a9. *Appropriation; purposes.*—That section 3 of chapter 101 of the laws of the thirtieth general assembly and chapter 113 of the laws of the thirty-first general assembly be, and the same are hereby, repealed and the following enacted in lieu thereof:

"There is hereby appropriated, out of any money in the State treasury not otherwise appropriated, for the purpose of more perfectly equipping the present bacteriological laboratory at the State university and for the purpose of enabling it to perform the duties hereby imposed, and to provide it with the necessary apparatus and assistants to render the same effective, the sum of \$6,000 annually or so much thereof as may be necessary, to be additional salary of the director, epidemiologists, water analysts, and other assistants, the expenses of said laboratory as may be necessary by this act, including postage, stationery, and other contingent and miscellaneous expenses which may be incurred in the maintaining of said laboratory and performing the duties required therein by the provision of this act. The director shall receive such additional salary, not to exceed \$1,200 per year, as the State board of health may fix. The appropriations hereby provided shall be expended in the manner provided in section 2575 of the code. The appropriation of \$5,000 provided for the 'epidemiology laboratory' in the annual appropriation of the thirty-sixth general assembly to the State university is hereby made available for the use of the laboratory and the work provided for in this chapter."

All laboratory work of the State board of health shall be done at or through the laboratory herein provided. [36 G. A. (S. F. 637, sec. 2).] [32 G. A., ch. 137, sec. 1.] [31 G. A., ch. 113.] [30 G. A., ch. 101, sec. 3.]

**Drugs, Adulterated—Manufacture or Sale Prohibited. (Act Mar. 12, 1915.)**

SEC. 4999-a32. *Manufacture or sale of adulterated drugs prohibited.*—No person, firm, or corporation, by himself, officer, servant, or agent, or as the officer, servant, or agent of any other person, firm, or corporation, shall manufacture or introduce into the State or solicit orders for delivery, or sell, exchange, deliver, or have in his possession with the intent to sell, exchange, deliver, or expose, or offer for sale or exchange, or delivery any drug which is adulterated or misbranded within the meaning of this act: *Provided*, That none of the penalties set forth in this act shall be imposed upon any common carrier for introducing into the State, or having in its possession, any adulterated or misbranded drugs, where the same were received by said carrier for transportation in the ordinary course of its business and without actual knowledge of the adulteration or misbranding thereof. [36 G. A. (H. F. 64, sec. 1).] [32 G. A., ch. 176, sec. 1.]

**Burial—Record of Interments to be Kept by Record-Keeping Officers of Cemeteries. (Act Mar. 31, 1915.)**

SEC. 587. *Regulations for cemeteries; record.*—\* \* \* It shall be the duty of the record-keeping officer of each cemetery to make and keep a permanent record of all interments made in such cemetery, which record shall at all times be open to public inspection. [36 G. A. (S. F. 151, sec. 1).] [17 G. A., ch. 106, sec. 1.]

SEC. 587-a. *Record; of what it shall consist.*—This record shall consist of a copy of the certificate of death as provided by the State board of health, and a record of the exact location of grave on cemetery lot. [36 G. A. (S. F. 151, sec. 2).]

SEC. 587-b. *Duty of physician and undertaker.*—It shall be the duty of the attendant physician to furnish, and of the undertaker to procure from him, a certificate of death before proceeding with the burial; and it shall be the duty of the undertaker to present to the sexton or other person in charge of the cemetery, at or before the time of interment, a copy of such death certificate. [36 G. A. (S. F. 151, sec. 3).]

**Hotels—Inspection of. (Act Apr. 21, 1915.)**

Sec. 2514-p. *Inspector of hotels; deputies; bonds.*—The State board of health shall at its first meeting in July, 1915, and biennially thereafter, appoint an inspector of hotels who shall have no other official business and shall be required to give bonds to the State in the penal sum of \$5,000, conditioned for the faithful performance of his duty, to be approved by and filed with the secretary of State; and shall maintain his office in the State board of health rooms at the capitol. Such inspector may, with the consent of a majority of the members of the State board of health, appoint, and at his pleasure remove, one or more deputies who shall assist under his direction in performing the duties imposed by this act; such deputies shall each give bond to the State in the penal sum of \$2,000, conditioned as that of the inspector and be approved by and filed with the secretary of State. [36 G. A. (S. F. 620, sec. 1).] [33 G. A., ch. 168, sec. 9.]

Sec. 2514-s. *Inspection fees.*—The proprietor or manager of every hotel containing 15 rooms or less, \$4; more than 15 and less than 31 rooms, \$6; more than 30 and less than 75, \$8; 75 rooms and above, \$10, when inspected under the provisions of this act and before the certificate of inspection shall be issued. But no hotel shall be inspected oftener than once a year unless there is a change of proprietors or unless upon a verified complaint signed by three or more patrons setting forth facts showing that such hotel is in an unsanitary condition or that fire escapes and appliances are not kept and maintained in accordance with the provisions of law. Upon receipt of such complaint the inspector shall make or cause to be made an inspection or examination of the matters complained of, and if upon inspection such complaint is found to be justifiable the legal fee of inspection shall be charged and collected. In case the complaint is found to be without reasonable grounds the ordinary fee for such inspection shall be chargeable against and collected from the person or persons making the complaint. All fees for the inspection shall be forthwith paid over to the State treasurer and his receipt taken and filed with the secretary of the State board of health. Such fees shall be by the treasurer kept as a separate fund to be known as a hotel inspection fund, and only paid out upon warrants or orders issued by the secretary of the State board of health and countersigned by the chairman thereof. [36 G. A. (S. F. 620, sec. 2).] [33 G. A., ch. 168, sec. 12.]

NOTE.—It is evident that the words "shall pay" were inadvertently omitted in the clause commencing with the word "fifteen" and ending with the word "issued." Reporter.

Sec. 2514-t. *Compensation; expenses.*—The inspector shall receive a salary of \$1,500 per annum and necessary expenses out of the hotel inspection fund. Each deputy inspector shall receive such compensation out of the hotel inspection fund as shall be fixed by the inspector, not to exceed \$5 per day and necessary expenses when actually engaged in the work of inspection. All salaries, compensation, printing, stationery, postage, and other contingent expenses necessarily incurred under the provisions of this act shall be paid from said fund. All bills for compensation and necessary expenses shall be itemized, verified, audited, and warrant drawn on the hotel inspection fund in the same manner as other expenses of the State board of health: *Provided*, That no salaries, compensation, or expenses shall be paid in excess of the inspection fees received: *And provided*, That at the close of each fiscal year all fees remaining in the State treasury in excess of the outstanding warrants and the sum of \$500 shall be transferred to the general fund. [36 G. A. (S. F. 620, sec. 3).] [33 G. A., ch. 168, sec. 13.]

**Garbage and Waste—Cities and Towns Authorized to Provide for the Collection and Disposal of. (Act Apr. 6, 1915.)**

Sec. 696-b. *Sanitary districts; cleaning streets; tax; bonds.*—The council of any incorporated city or town, including cities operating under special charter and commis-

sion-governed cities, may, by ordinance, provide for the establishment of sanitary districts for the collection and disposal of garbage and such other waste material as may become dangerous to the public health or detrimental to the best interests of the community, and for the oiling and sprinkling, flushing and cleaning of streets, and may adopt such rules and regulations as are necessary for the proper administration of the provisions of this act. It shall have authority to levy an annual tax within each district not exceeding 2 mills for a fund for the purposes of this act, and, by vote of a majority of the voters voting on such proposition, may issue bonds for the purchase or erection of disposal plants. [36 G. A. (H. F. 374, sec. 1).]

**Sewer Outlets, Garbage-Disposal Plants, Sewage-Disposal Plants, and Dump Grounds—Acquisition of Land for. (Act Apr. 17, 1915.)**

SEC. 881. *Sewer outlets; disposal plants.*—That section 881, supplement to the code, 1913, be, and the same is hereby, repealed and the following enacted in lieu thereof:

"Cities and towns, including cities under special charter and cities acting under commission form of government, shall have the power to acquire real estate and easements therein, within or without their territorial limits, necessary for the control of streams and surface waters flowing into sewers within such towns and cities, or necessary for sewer outlets, garbage-disposal plants, sewage-disposal plants, and dump grounds, by purchase or condemnation, as in this chapter provided, and the expense of such acquisition of real estate or easements therein for the control of streams and surface waters flowing into sewers, for sewer outlets, garbage-disposal plants, sewage-disposal plants, and dump grounds, shall, in the case of garbage-disposal plants and dump grounds, be paid out of the general fund, and in the case of the control of streams and surface waters flowing into sewers, sewer outlets, and sewage-disposal plants out of the general fund, or out of the city sewer fund, or out of the sewer fund of the sewer district which is to be served by such acquisition of land or easement." [36 G. A. (H. F., 280, sec. 1).] [30 G. A., ch. 37.] [26 G. A., ch. 8.]

## KANSAS.

### Tuberculosis Sanatorium—Medical Assistants—Admission of Patients. (Chap. 335, Act Mar. 16, 1915.)

**SECTION 1. *Medical assistant examining physicians.***—All medical assistants shall be appointed by the superintendent. No medical assistant shall be appointed who is not a reputable physician and a graduate of a legally chartered and recognized medical college. The county health officer shall examine all applicants for admission to such sanatorium. Said examining physicians shall have been in regular practice of their profession for at least five years, and shall be skilled in the diagnosis and treatment of pulmonary disease. Their fee or compensation for each patient examined shall be \$3.

**SEC. 2. *County patients.***—The State board of control having charge of the said State tubercular sanatorium is hereby given power and authority to receive therein patients who have no ability to pay, but no person shall be admitted to the hospital who has not been a citizen of this State for at least one year. Every person desiring free treatment in such hospital shall apply to the local authorities, of his or her county, having charge of the relief of the poor, who shall thereupon issue a written request to the superintendent of such State sanatorium for the admission of such persons. Such request shall state in writing whether the person is able to pay for his or her care and treatment while at the hospital, which request or statement shall be kept on file by the superintendent of the hospital. Such requests shall be filed by the superintendent in a book kept for that purpose in the order of their receipt by him. Whenever there are vacancies caused by death or removal said superintendent shall thereupon issue a request to an examining physician, appointed as provided for in section 1, in the same city or county, and if there be no such examining physician in said city or county, then to the nearest examining physician, for the examination by him of said patient.

Upon the request of such superintendent said examining physician shall examine all persons applying for free admission and treatment in said institution and determine whether such persons applying are suffering from incipient pulmonary tuberculosis. No person shall be admitted as a patient in said institution without the certificate of one of such examining physicians, certifying that such applicant is suffering from incipient pulmonary tuberculosis, and if upon the reception of a person in the said hospital it is found by the authorities thereof that he is not suffering from incipient pulmonary tuberculosis, or is suffering from pulmonary tuberculosis in such an advanced stage as to prevent his receiving any benefit from the care and treatment in said hospital, he can be returned to the place of his residence, and the expense of transportation to and from said hospital shall be paid by the county sending such patient. Admission to said hospital shall be made in the order in which the names of the applicants appear upon the application book, to be kept as above provided by the superintendent of said hospital, in so far as such applicants are subsequently certified by such examining physicians to be suffering from incipient pulmonary tuberculosis.

Every person who is admitted as and who is a county charge at the time of making his or her application shall be transported to and from the hospital at the expense of said county, and cared for and treated at the expense of such county, which would otherwise be chargeable with the support of indigent persons, and the expense of transportation, treatment and maintenance, and the actual cost of articles of clothing furnished by the hospital to such poor or indigent person, shall be a charge against such

county. And the State board of control, in charge of the said State tubercular sanatorium, shall fix the price of maintenance, in such institution, for county patients, and the different counties having county patients contained therein will be liable for the maintenance cost, as fixed by the State board of control, not to exceed \$3 per week.

SEC. 3. *Private patients.*—Applicants for admission to this institution who are able to pay for their treatment are not required to obtain a written request from the local authorities having charge of the relief of the poor, but shall make application direct to the superintendent, who shall enter the name of such applicant in the book to be kept by him for that purpose, as provided in section 2 of this act, and when there is room in said hospital for such applicant, without interfering with the preference in the selection of patients which shall always be given to the indigent, such patient shall be admitted to the hospital upon the certificate of one of the examining physicians, which certificate shall be kept on file by such superintendent.

SEC. 4. *Support of county patients.*—At least once each month the superintendent of the hospital shall furnish to the board of county commissioners of each county having charge of the relief of the poor a list of all the county patients in such hospital that are credited to each respective county, and who are shown by the statement of such local authorities to be unable to pay for their care, treatment, and maintenance, under the provisions of section 2 of this act, and he shall accompany such list with a bill of charges for the care, treatment and maintenance, at the rate per week to be fixed by the State board of control, for each county patient, together with items of expense, transportation, fee of the examining physician, and the actual cost of articles of clothing furnished by the hospital to each such county patient. And the county commissioners of such county shall allow such sums of money for such purposes, and said sums to be paid to the superintendent of the hospital, and he shall pay the same over to the State treasurer, to be placed in the maintenance fund of the State tubercular sanatorium, and may be used for special improvements.

SEC. 5. The State board of control having charge of the State tubercular sanatorium shall have power and authority to fix the charges to be paid by patients who are able to pay for their care and treatment in such hospital, or who have relatives bound by law to support them who are able to pay therefor.

**Hospitals—Certain Cities Authorized to Levy a Tax for the Equipment and Maintenance of. (Chap. 143, Act Mar. 24, 1915.)**

SECTION 1. That the mayor and council of any city of the second class, with a population of more than 3,000 and not exceeding 6,000, or the mayor and commissioners, where such city has the commission form of government, may annually levy a tax of not exceeding one mill on each dollar of assessed valuation, for the purpose of equipping and maintaining a hospital in such city; *Provided*, That before any such tax shall be levied a proposition to levy such tax shall first be submitted to the qualified electors of such city for their rejection or approval. And no such election shall be called until a petition therefor, signed by 25 per cent of the electors of such city, shall first be presented to such city council or city commissioners.

SEC. 2. The levy provided for by the preceding section is in addition to the limitation of the rate of levy fixed for cities of the second class by section 9413, of the general statutes of 1909, being section 20, of chapter 245 of the session laws of 1909.

**Child Hygiene—Division Created in State Board of Health. (Act Mar. 6, 1915.)**

SECTION 1. That there is hereby created in the Kansas State Board of Health a division to be known as the division of child hygiene, to be under the general supervision and direction of the State board of health.

SEC. 2. That the general duties of this division of the State board of health shall include the issuance of educational literature on the care of the baby and the hygiene

of the child, the study of the causes of infant mortality and the application of preventive measures for the prevention and the suppression of the diseases of infancy and early childhood, and such other duties as are prescribed by the State board of health.

**Tuberculin Test of Cattle—Regulations Governing. (Chap. 351, Act Feb. 25, 1915.)**

SECTION 1. That section 22 of chapter 312 of the session laws of 1911 be and the same are [sic] hereby amended to read as follows:

That the live stock sanitary commissioner whenever he may deem it necessary, shall formulate and announce the rules under which the tuberculin test for tuberculosis in domestic animals shall be applied and for all proceedings subsequent to such application; but in so doing he shall be governed by the following regulations, to wit:

(a) That the tuberculin test shall comply with the instructions and rules as given by the bureau of animal industry of the Federal department of agriculture for conducting the tuberculin test.

(b) No person other than one indicated for that purpose by the live stock sanitary commissioner shall inject any tuberculin into any animal in this State.

(c) All charts giving the temperatures and conditions existing at the time the animal was tested, accompanied by a history and description of the animal shall be, immediately after the test is made, submitted to the State live stock sanitary commissioner who shall thereupon render his opinion thereon, which decision shall be final and shall be recorded in his office.

(d) That the State live stock sanitary commissioner shall at once apply the quarantine and other regulations issued by him under the provisions of this act to animals found infected with tuberculosis.

SEC. 2. That section 22 of chapter 312 of the session laws of 1911 is hereby repealed.

**Schools—Free Dental Inspection for Pupils in Certain Cities. (Act Mar. 17, 1915.)**

SECTION 1. All cities now having, or which may hereafter attain, a population of 40,000 people may provide free dental inspection for all children attending public schools therein.

SEC. 2. The board of education or body controlling the public schools in said cities may establish such place or places of inspection as may be necessary, designate such competent and licensed dentist or dentists who shall make such inspections, and fix and provide compensation for him or their services therefor, and for any and all dental work required or by them deemed necessary to be done under and by virtue of such inspection, and make any and all rules by said board deemed necessary and proper to regulate such inspection and carry the same into effect; and may prescribe and cause to be prepared all forms and blanks necessary in the details of said inspection.

SEC. 3. A certificate of the result of such inspection, over the signature of the party making such inspection, shall be furnished to each child, without cost, at the time of such inspection, and a duplicate thereof filed with the clerk of said board of education: *Provided, however,* That before any dental work shall be done said certificate of inspection so delivered to each child shall be returned with the consent of the parent or guardian of said child indorsed thereon.

**Schools—Cleaning and Disinfection—Water Supplies—Privies. (Reg. Bd. of H., June 8, 1915.)**

*Resolved,* That the following be adopted as a regulation of the Kansas State Board of Health:

That in the interest of the public health all school houses shall be thoroughly cleansed at some time during the annual vacation and disinfected at such times when known to be infected by a contagious or infectious disease; that the source of water

supply be inspected as to its wholesomeness and purity, and that the privies be required to be put in a sanitary condition before the fall term of school begins. Be it further

*Resolved*, That the enforcement of the provisions of this regulation shall be a part of the duties of city health officers in cities of the first class and of county health officers in all territory outside of cities of the first class in their respective jurisdictions.

**Rest Rooms—Certain Cities Authorized to Levy a Tax for the Erection and Maintenance of. (Chap. 126, Act Mar. 4, 1915.)**

**SECTION 1.** That all cities of the first class having a population of 55,000 or under and not having a city hall or convention hall costing more than \$100,000 are hereby authorized to levy a tax, in addition to other taxes provided by law, each year not to exceed one-half of one mill on the dollar on all taxable property in such cities for the purpose of purchasing or erecting suitable buildings to be used as rest rooms and for maintaining the same.

**Eggs—Shipment of—Regulation of Egg-Breaking Establishments. (Reg. Bd. of H., June 8, 1915.)**

1. That it shall be unlawful to ship in any kind of a container or in any manner for food purposes eggs known as "yolks stuck to the shell," "heavy blood rings," "partially hatched," "moldy eggs," "black spots," "black rots," and all other eggs of an unwholesome nature.

2. That eggs known as "rejects" by the candling process, and exclusive of the above-named variety, may be shipped when packed in cases sealed with identifying strips approved by the State board of health. Eggs when so shipped may be routed or consigned to a regular egg dealer or broker, but shall not leave the identified cases except in egg-breaking establishments which are either licensed or operated under the approval of the Bureau of Chemistry of the Federal Government or the State board of health.

3. Egg-breaking establishments located in the State of Kansas must be of an approved sanitary type complying with the State sanitary-food law and the rules and regulations of the State board of health, which approval shall be evidenced by the issuance of a license of such form as may be hereafter adopted by the secretary of the State board of health, and upon such conditions as may be hereafter provided by the said board.

4. Such egg-breaking establishments as desire inspection of products manufactured or packed therein may secure such inspection upon such terms and conditions as may be approved by the standards committee.

Agreeable to the conditions as set forth in rule 4, the standards' committee adopted the following regulations governing licensed egg-breaking establishments:

(a) All egg-breaking establishments having inspection must first have been licensed under the provisions of rule 3, showing such establishments to have complied with the sanitary requirements of the laws, rules, and regulations of the State board of health.

(b) Inspectors shall be expertly trained in egg breaking, and shall be appointed by the chief food and drug inspector. They shall receive a salary of \$75 a month and railroad traveling expenses when assigned to go from one plant to another. The sum of \$85 a month shall be paid by each establishment under inspection to a designated bank acting as a depository for the State board of health, which shall receive all moneys, and pay the same out upon order of the chief food and drug inspector. Any deficiencies at the end of the egg-breaking season shall be borne by a proper division of such deficiencies among the plants under inspection.



(c) All egg products inspected under these rules and regulations shall be stamped or marked on the container, or upon a tag fastened by a wire to the container, with the following legend:

"Kansas State Board of Health inspected and passed. Date (day, month, and year). Inspector (initials of inspector). Grade (grade of eggs stated)."

(d) Inspectors will have the final decision as to the classification of grades of eggs and the final disposition of same and complete control of the sanitary conditions of the establishment under inspection, including the cleansing and sterilization of containers and implements used in the plant, the personal cleanliness of all employees therein, and the sanitary condition of the toilets and lavatory facilities used by the employees. All questions in controversy relating to any of the above rules and regulations must be referred to the executive officers of the State board of health for final decision.

(e) All egg-breaking establishments licensed under rule 3 of the general rules and regulations passed by the State board of health June 8, 1915, and all egg-breaking establishments having inspection under the provisions of said regulations, are required to keep accurate records of the receipt and final disposition of all cases of third-grade eggs or so-called "reject" eggs, shipped in identifying cases, in accordance with rule 2 of the general regulations, and in like manner to keep accurate record of all third-grade eggs candled out in such establishments from current-receipt eggs. Condensed monthly reports of all receipts and disposal of eggs herein described shall be made to the State board of health in such forms or upon such blanks as may be required.

(f) AH shippers of so-called "rejects" or third-grade eggs are required to keep accurate account of the number of cases, the date of shipment, and to whom shipped, such records to be open to the inspection of the representatives of the State board of health.

**Definition.**—Rejects by the candling process may be defined as "light blood rings," "sweets," "broken-down yolks," and "heavy yolks," or so-called "heated" eggs, exclusive of eggs mentioned in rule 1.

[These regulations were effective July 1, 1915.]

**Water—Collection of Samples and Analysis of that Furnished to Public. (Act Mar. 24, 1915.)**

**SECTION 1.** That the State board of health shall make, and publish in the official State paper, rules and regulations for the collection of samples and analysis of water, either natural or treated, furnished by municipalities, corporations, companies, or individuals to the public, and shall fix the fees for any services rendered under said rules and regulations to cover the cost of the services, which fees shall be approved by the State board of administration before they become operative.

**SEC. 2.** The analysis of all waters required in the rules and regulations shall be made at the water and sewage laboratory of the State board of health in the University of Kansas, and the fees collected under the provisions of this act shall be turned into the State treasury for the benefit of said laboratory of the University of Kansas.

**SEC. 3.** That every corporation, railway, common carrier, company, or individual that shall fail to comply with the rules and regulations prescribed by the State board of health under this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than \$50 nor more than \$500.

**Drinking Water—Collection of Samples and Analyses of. (Reg. Bd. of H., June 8, 1915.)**

**1. Rules and regulations governing collections of samples and analysis of water from city supplies furnishing ground water to the public.**—A complete sanitary inspection of city supplies furnishing ground water shall be made by a representative of the division

of water and sewage of the State board of health at least once each year and samples collected for analysis. Samples so collected shall be subjected to a complete analysis at the water and sewage laboratory of the State board of health, including microscopical, bacteriological, sanitary, chemical, and mineral examinations.

2. A second sample shall be collected, according to directions sent out by the water and sewage laboratory of the State board of health, by city officials, waterworks officials, or other persons authorized by the secretary of the State board of health, upon receipt of container from said laboratory, and shall return said container within one week from date of receipt.

3. Results of these analyses, with any pertinent remarks and advice, shall be reported to the person whose name is signed to the information blank and to the secretary of the State board of health.

4. As many additional analyses shall be made as are deemed necessary by the engineer of the State board of health to show the quality of the water.

(1) Analyses of proposed city supplies shall be made upon request to the water and sewage division of the State board of health.

5. Fees for service rendered under these rules and regulations for ground-water supplies shall be payable July 1 of each year to the director of the water and sewage laboratory of the State board of health at the University of Kansas, Lawrence, Kans.

6. Fees have been fixed, based upon the population of the cities. The population of a city shall be taken from the preceding State enumeration.

Population of cities—	Fees.
Under 500.....	\$12.50
500- 1,000.....	20.00
1,000- 2,000.....	25.00
2,000- 3,000.....	30.00
3,000- 5,000.....	35.00
5,000-15,000.....	40.00
15,000 and up.....	50.00

*Rules and regulations governing collections of samples and analysis of water from city supplies furnishing surface water to the public.—*

(2) Analyses of chemicals used in water purification shall be analyzed [sic] upon request.

1. A complete sanitary inspection of city supplies furnishing surface water shall be made twice annually, and tests of the operation of the plant shall be carried on at the time of these inspections by a representative of the division of water and sewage of the State board of health.

2. Samples shall be collected weekly, according to directions of the water and sewage laboratory, by city officials, waterworks officials or other persons authorized by the secretary of the State board of health from the raw and finished treated water and sent to said laboratory for analysis in containers furnished.

3. Results of these analyses, with any pertinent remarks and advice, shall be reported to the person whose name is signed to the information sheet and to the secretary of the State board of health.

4. City officials shall be required to keep any data on the operation of purification plants that may be required by the division of water and sewage of the State board of health. This data shall be transmitted to the engineer of the division upon his request.

5. Fees for the services rendered under these rules and regulations pertaining to surface water supplies shall be payable July 1 of each year to the director of the water and sewage laboratory of the State board of health at the University of Kansas, Lawrence, Kans.

6. Fees have been fixed, based upon the population of the cities. The population of a city shall be taken from the preceding State enumeration.

Population of cities—	Fees.
Under 1,500.....	\$30
1,500-3,000.....	50
3,000-6,000.....	90
6,000-10,000.....	100
10,000 and above.....	150

1. *Rules and regulations governing collection of samples and analysis of drinking water supplied by common carriers.*—Sanitary inspections of the sources of supply and methods of handling water furnished by common carriers to the public within the State shall be made twice annually by a representative of the division of water and sewage of the State board of health.

2. Samples shall be collected at the time of inspection from the sources of supply and the place where trains are watered. Samples so collected shall be subjected to complete analysis in the water and sewage laboratory of the State board of health in accordance with the standard adopted by the United States Treasury Department for drinking water supplied to the public by common carriers in interstate commerce.

3. Results of these analyses shall be reported to the proper railroad officials, to the secretary of the State board of health, and to the Surgeon General of the United States Public Health Service.

4. In case a water supply furnished by common carriers to passengers in the State does not meet the requirements of the standard of the Treasury Department, and repairs or improvements on the supply are made with the approval of the division of water and sewage of the State board of health, one additional analysis shall be made without cost to the common carrier.

5. Railroads or common carriers shall file with the water and sewage laboratory of the State board of health a list of all places in the State of Kansas where passenger trains are furnished with water for drinking purposes, and the said laboratory shall be notified at once in case any change is made in the source of supply or method of handling the water.

6. The fees for the services rendered under these rules and regulations pertaining to railroads or common carriers shall be payable July 1st of each year to the director of the water and sewage laboratory of the State board of health at the University of Kansas, Lawrence, Kans.

7. The fee for analysis shall be \$30 annually for each place where passenger trains are furnished with water to be used by passengers.

1. *Rules and regulations governing collection of samples and analysis of waters sold to the public for domestic consumption in bottles or other containers.*—All plants for the preparation of water for sale in bottles or other containers for domestic consumption and the sources of water supply shall be inspected twice annually by a representative of the division of water and sewage of the State board of health and samples collected for complete analysis by the water and sewage laboratory of the State board of health.

2. Bottles or other containers in which water is sold to domestic consumers must be sterilized before refilling. The method of sterilization shall be passed upon and approved by the water and sewage laboratory of the State board of health, subject to approval by the State board of health.

3. Processes of purification of waters that are to be sold for domestic consumption must be passed upon and approved by the water and sewage laboratory of the State board of health, subject to approval by the State board of health, before the water can be sold or offered for sale.

4. Any company, corporation, or individual outside of the State of Kansas preparing water for sale within the State of Kansas shall file full information with the water and sewage laboratory of the State board of health at the University of Kansas, Lawrence, Kans., as to the sources of supply and methods of sterilization of bottles, and equipment for handling the water, and shall collect samples twice each year,

according to directions, in containers sent out by the water and sewage laboratory of the State board of health, and return same at once for complete analysis, carriage charges prepaid.

5. Reports of analysis shall be made to the person signing the information blank and to the secretary of the State board of health, and permits shall be issued by the secretary of the State board of health for the sale of a water based upon the results of analysis and inspection and the recommendations of the division of water and sewage of the State board of health.

6. The fees for the services rendered under these rules and regulations pertaining to bottled and treated waters shall be payable July 1 of each year to the director of the water and sewage laboratory of the State board of health at the University of Kansas, Lawrence, Kans.

7. The fee shall be \$30 annually for each source of supply from which water is bottled.

In case a person, company, corporation, institution, or municipality believes that a decision of the division of water and sewage of the State board of health is unjust or unfair in any matter pertaining to the administration of the rules and regulations herein contained, he shall within 30 days have the privilege of appealing to the State board of health as a whole, and said State board of health shall approve, set aside, or modify the decision of the division of water and sewage.

Fees collected under these rules and regulations shall be distributed over the expenses of collection and shipping of samples and making of analyses, under the direction of the State board of health, subject to the approval of the board of administration of educational institutions.

**Ice—Analyses of, when Sold for Domestic Purposes. (Reg. Bd. of H., Oct. 4, 1915.)**

1. Corporations or individuals selling artificial ice for domestic consumption shall submit to the water and sewage laboratory of the State board of health complete information concerning the source of water supply used for the manufacture of the ice and detailed description of the process involved.

2. A 50-pound cake of ice manufactured shall be sent to the water and sewage laboratory of the State board of health, Lawrence, Kans., each year for complete analysis. Results of these analyses shall be reported to the person whose name is signed to the information sheet and to the secretary of the State board of health.

3. Artificial ice shall contain less than 100 bacteria per cubic centimeter and no organisms of the bacillus coli group in 1 cubic centimeter. If the ice does not meet these requirements it shall be sold for refrigeration purposes only and not for domestic consumption.

4. Corporations or individuals harvesting natural ice shall file full information with the water and sewage laboratory of the State board of health with regard to the source of the ice and the method of storage.

5. A 50-pound cake of the ice shall be shipped to the water and sewage laboratory of the State board of health during March or April each year for complete analysis.

6. Natural ice properly stored shall contain less than 100 bacteria per cubic centimeter and no organisms of the bacillus coli group in 1 cubic centimeter. If the ice does not meet these requirements it shall be sold for refrigeration purposes only and not for domestic consumption.

7. County health officers shall furnish the water and sewage laboratory of the State board of health with lists of ice dealers in their districts.

8. Fees for the services rendered under these rules and regulations pertaining to ice supplies shall be payable by the manufacturer or owner of the ice plant January 1 of each year to the director of the water and sewage laboratory of the State board of health at the University of Kansas, Lawrence, Kans.

9. Fee shall be \$15 annually for each source of supply of ice which is sold for domestic consumption.

**Births and Deaths—Registration—Local Registrar—Removal Permits.**  
(Chap. 340, Act Mar. 17, 1915.)

SECTION. 1. That section 1, chapter 306, session laws of 1913 be, and the same is hereby amended to read as follows:

"SEC. 4. The city clerk of each incorporated city shall be the local registrar of vital statistics of such city and such additional territory as may be designated, and where necessary the township clerk or other suitable person shall be the local registrar for such territory as may be designated. Local registrars shall issue burial or removal permits and receive birth certificates for their respective districts. Removal permits properly issued within the State shall be accepted as burial permits for interment in any cemetery within the State."

SEC. 2. That original section 1, chapter 306, session laws of 1913, and all acts or parts of acts in conflict herewith be, and the same are hereby, repealed.

**Sewers—Connections with.** (Act Mar. 18, 1915.)

SECTION 1. Any city of the first, second, or third class may by ordinance require persons and property owners owning dwelling houses or buildings within cities of the first, second, or third class of the State of Kansas, which building or buildings are or shall be located near a sewer or in a block wherein any such sewer district in said city through which a sewer extends, to make such connections with said sewer system of said city as may be necessary, in the judgment of the board of health, for the protection of the health of the public, for the purpose of disposing of all substances from any such building affecting the public health which may be lawfully and properly disposed of by means of such sewer; and any person or persons who shall fail, neglect, or refuse to so connect any building or buildings with the sewer system of such cities, as herein provided for, for more than 10 days after being notified in writing by the board of health of such cities to do so, any such city may cause such premises and buildings to be connected with said sewer system, and are hereby authorized to advertise for bids for the construction and making of such sewer connections and to contract therefor with the lowest responsible bidder or bidders, and cause such premises to be connected with said sewer system, and to assess the costs and expenses thereof against the property and premises so connected, such assessment to be made in the same manner as other special assessments are made.

**Sewage—Construction of Plants for the Pumping of, in Certain Cities.** (Chap. 129, Act Mar. 13, 1915.)

SECTION 1. Whenever, in the judgment of the mayor and council or mayor and commissioners of any city of the first, second, or third class in the State of Kansas, in the construction of a main sewer or a main intercepting sewer in connection with its system of sewers and drains, that, on account of elevation or for any other reason, it is impracticable or too expensive to excavate in connecting such main sewer or main intercepting sewer with another main sewer district or main intercepting sewer, in order to provide an outlet for the sewage of such main sewer or main intercepting sewer district, the mayor and council or mayor and commissioners of such city are hereby empowered to construct a pumping station for the purpose of pumping sewage of such main sewer or main intercepting sewer to some other main sewer district in said city, in order to conduct the sewage thereof to a point of outlet.

SEC. 2. Before any such pumping plant shall be constructed the plans and specifications of such pumping station shall first be submitted to the department of the board of health of the State of Kansas and be approved by such department.

SEC. 3. The cost of construction of such pumping station may be paid from the general fund of such city, or if there be not sufficient money in such fund such city is hereby authorized to issue improvement bonds for the payment thereof to an amount

not to exceed the actual cost of said pumping plant. The bonds issued under this act shall be signed by the mayor and attested by the city clerk under seal of the city, and the interest coupons thereto attached shall be signed by the written or lithographed signature of the mayor; such bonds may be in any denomination from \$100 to \$500, and may be payable at any time, not exceeding 20 years from the date thereof, at the fiscal agency of the State of Kansas. Such bonds shall not be issued or sold at less than par, nor bear a greater rate of interest than  $5\frac{1}{2}$  per cent per annum, payable semi-annually. Each of said bonds shall contain a recital that it is issued under the provisions of this act, which recital shall be conclusive that the proper ordinance authorizing such issuance has been passed, and that all other conditions precedent to the issuing of said bonds have been complied with.

SEC. 4. None of the restrictions and limitations contained in any of the statutes of the State of Kansas heretofore enacted shall apply to or in any way affect the issuance of the bonds authorized by this act, or the bonds so issued.

**Coal Mines—Bath Houses Required in Certain Cases. (Chap. 245, Act Mar. 24, 1915.)**

SECTION 1. That section 1 of the chapter numbered 226 of the laws of 1913 be amended to read as follows:

SECTION 1. It shall be duty [sic] of every owner, or lessee, its officers or agents, or other person or persons having jurisdiction or direction of any coal mines within the State of Kansas, to provide on and after the passage and publication of this act, a suitable building, which shall be convenient to the principal entrance of such mine or mines, and equipped with individual lockers or hangers, benches or seats, proper light, heat, hot and cold water, and shower baths, and maintain same in good order, for the use of persons employed therein, for the purpose of washing and bathing of employees and changing of clothing. Said building or bath house to have sufficient floor space for the accommodation of miners or others using the same.

The flooring in said wash room or bath room to be of concrete or cement, and the flooring in the changing room to be optional with the owner as to the material used. All lockers in new bath houses when made of steel, shall not be less than 12 inches by 12 inches by 48 inches in height. When made of lumber shall not be less than 12 inches by 22 inches by 48 inches in height, with partitions in centers of wood lockers. Individual hangers shall consist of not less than three hooks upon which to hang clothing, and a receptacle of suitable size for use in connection therewith, attached to a proper chain or wire rope, and so suspended as to admit of hanger being raised such height that the wearing apparel, when hung thereon, will not be less than 7 feet above the floor of said building, and of being locked in that position. The lockers or hangers in each bath house shall be sufficient in number to accommodate the employees using the same, and there shall be one shower bath for every 15 employees using the same. Said employees shall furnish their own towels and soap and lock for their lockers or hanger, exercise control over, and be responsible for the property by them left therein. The individual owner, operator, lessee, agent, or company or corporation shall keep said bath houses in a clean and sanitary condition: *Provided*, That this section shall not apply to any mine operated on the long wall system of mining: *Providing*, That the provisions of this act shall not apply to mines in this State in excess of 600 feet in depth.

SEC. 2. That section 1 of chapter 226 of the laws of 1913 be and the same is hereby repealed.

**Advertisements—False or Misleading, Prohibited. (Act Mar. 11, 1915.)**

SECTION 1. That any person, firm, corporation, or association who, with intent to sell or in any wise dispose of any merchandise, securities, service, or anything offered by such person, firm, corporation, or association, directly or indirectly, to the public

for sale or distribution, or with intent to increase the sale or consumption thereof, or to induce the public or any person in any manner to enter into any obligation relating thereto, or to acquire title to or an interest therein, who makes, publishes, disseminates, circulates, or places before the public, or causes the same to be done, either directly or indirectly, in this State, whether by newspaper publication or otherwise, as herein provided, any label, notice, handbill, poster, bill, circular, pamphlet, or letter, or in any other way, any advertisement of any kind or character regarding merchandise, securities, service, or any other thing or commodity offered to the public, which advertisement contains any assertion, representation, or statement which is in fact untrue, deceptive, or misleading, shall be deemed guilty of a misdemeanor, and upon conviction in any court of competent jurisdiction shall be punished by a fine in any sum not exceeding \$500 or by imprisonment in the county jail not exceeding one year, or by both such fine and imprisonment, for every such offense, and each day such publication or communication shall be published or disseminated shall constitute a violation of the provisions of this act and shall be deemed a separate and distinct offense: *Provided also*, That the provisions of this act shall not apply to the publisher of any newspaper or other publication who publishes or causes to be published, disseminated, or circulated any written or printed statement prohibited by the provisions of this act, without knowledge that it is false.

SEC. 2. It shall be the duty of the attorney general of the State of Kansas and each county attorney of each county in Kansas, on complaint being made to them, to vigorously prosecute any and all offenders against the provisions of this act.

SEC. 3. This act shall not be construed to impair, amend, modify, or repeal the provisions of any law now in force.

## LOUISIANA.

### Communicable Diseases—Additional Diseases Made Notifiable. (Reg. Bd. of H., Feb. 18, 1915.)

The section on diseases reportable for investigation and record was amended so as to read:

"For purposes of investigation and statistical record, pellagra, trachoma, hookworm, malaria, and whooping cough are hereby made reportable diseases in the State of Louisiana, and attending physicians must report to the Louisiana State Board of Health and to the respective local health officials all cases of these diseases in the same manner as provided in section 13 of the Sanitary Code."

### Vessels—Disinfection and Fumigation. (Reg. Bd. of H., Feb. 18, 1915.)

That the Sanitary Code of the State of Louisiana be amended by the addition and insertion of the following, which shall be section 56 (a):

"Sec. 56 (a). That all steamboats, ships, or other water crafts driven by steam or other power, and of whatsoever nature or kind, used for the transportation of passengers or freight on all navigable streams or water bodies within the State of Louisiana, shall be subject to disinfection and fumigation under the direction and rules of this board before leaving the port of New Orleans or other ports for other points in the State.

"That it shall be lawful for any health officer, agent, or employee of this board, acting under the authority of the board of health, to go upon and on any steamboats, ships, or other water craft aforesaid, for the purpose of disinfecting and fumigating said craft, and it shall be unlawful for any owners, masters, charterers, or any other persons whatsoever, of said water crafts to interfere with the said health officers, agents, or employees of the board of health, in the performance of the duties imposed upon them to carry out the purposes of this resolution.

"That any owner, charterer, master, or other person violating any of the provisions of this ordinance or any regulations adopted by this board on this subject, shall be guilty of a misdemeanor and the offender shall be punished by fine of \$25 or 30 days' imprisonment in the parish jail for each and every offense, on conviction before any court of competent jurisdiction, as provided for by section 39 of act 192 of 1898, and acts amendatory thereto."

### Milk and Milk Products—Production, Care, and Sale. (Reg. Bd. of H., June 15, 1915.)

Sections 203 to 228, inclusive, of the sanitary code were repealed and reenacted to read as follows:

Sec. 203. It shall be the duty of the parish and municipal health officers to forward to the State board of health, on or before the 15th day of July of each year, the names of persons, firms, or corporations within their jurisdictions conducting dairies, creameries, or milk plants and selling milk or milk products to the public.

Sec. 204. It shall be the duty of the State board of health to keep a record of all persons conducting dairies, creameries, or milk plants and selling milk or milk products to the public. The State board of health shall also issue a certificate to any owner or manager of any dairy, creamery, or milk plant, at the request of the local health officer, when it is found that the said owner or manager is conducting his business in conformity with the regulations of the State board of health.



SEC. 205. Milk produced at a dairy which scores below 50 on the score card of the State board of health, and milk sold by or from a city milk plant which scores below 70 on the score card of the State board of health, shall be considered as produced and handled in an improper, unclean, and insanitary manner.

SEC. 206. Any person who shall keep cows for the production and sale of milk in an unclean or unhealthy condition, in unclean stables, or stables with contaminating surroundings, or feed to them unwholesome food, or handle the milk in an unclean manner, in unclean utensils, or sell milk exposed to the danger of tuberculosis, diphtheria, typhoid, scarlet fever, or septic sore throat, shall be deemed guilty of violating the provisions of this code.

SEC. 207. The use of open-top pails for milking, or pails not covered so as to prevent contamination of the milk while milking, shall be considered as handling the milk in an unclean manner.

SEC. 208. Every person maintaining cows for the production and sale of milk shall provide a well-lighted and properly ventilated barn, with sound tight floor and proper gutter; he shall also provide for the use thereof an adequate supply of water of good quality and proper for maintaining the health and good condition of the cows, and necessary purposes connected with the dairy. All sources of impure water in and about the dairy or dairy farm, inclosures and pasturage for the cows, shall be abolished.

SEC. 209. No cows shall be fed on distillery waste, or any substance in a state of fermentation and putrefaction, swill, or unhealthy food. No dairyman shall buy for dairy purposes or bring into his dairy farm any wet, moist, or damp brewery mash, waste or grain, nor shall he have or maintain in his possession in or about the dairy or dairy farm any such wet, moist, or damp brewery mash, waste, or grain.

SEC. 210. All dairies shall be provided with a room for handling milk. The milk room shall be provided with tight smooth floor, walls, and ceiling, constructed of material easily cleaned. It shall have proper light and ventilation, shall be thoroughly screened, and free from flies. The walls and ceiling shall be painted white, or whitewashed.

SEC. 211. No milk shall be mixed, poured from one vessel to another, cooled, stored, or changed into any other form of dairy product, or kept for sale or distribution in any room which is used for stabling or keeping cows, horses, fowls, or any other animals, or in any room which opens directly into places where animals are kept, or in any room near any source of contamination.

SEC. 212. The milk from each cow, as soon as drawn, shall be removed to the milk house, and shall not be poured from one vessel to another in the dairy barn.

SEC. 213. All milk must be bottled at the dairy, creamery, or distributing plant. It is prohibited to bottle milk on the street or on vehicles of any description.

SEC. 214. Any person, firm, or corporation who shall, in this State, engage in or carry on a retail business in the sale, exchange of, or retail traffic in milk, shall have the vehicle from which the milk is vended conspicuously marked with the name and address of such person, firm, or corporation in large Roman letters not less than 3 inches high, properly proportioned in width and permanently attached thereto.

SEC. 215. Any person, firm or corporation who receives any milk or milk products in cans, bottles, or vessels, where such cans, bottles or vessels are to be returned, shall cause the said cans, bottles or vessels to be emptied before the said milk or cream, ice cream, or milk products contained therein shall become sour, and shall cause said cans, bottles, or vessels to be immediately washed and thoroughly cleansed and aired; and after said bottles, cans, or vessels have been returned to the producer or dealer in milk or milk products, said dealer shall again thoroughly sterilize and cleanse such containers before again putting same into use. A tag labeled, "This can is dirty and in its present condition is not a fit vessel in which to carry or store milk intended for human food, ....., " signed by an inspector or properly authorized official of the State

board of health, attached to a milk can or container, shall be warning to express or railway companies not to haul the can on trains, and a warning to the owner that the can must be thoroughly cleaned, and that the tag can not be removed except by authority of the State board of health. Failure to regard the above regulation shall be deemed a violation of the provisions of this code.

SEC. 216. The presence of a diseased animal in a herd from which milk is sold shall be prima facie evidence that the milk of the diseased animal is sold contrary to law, and in violation of this code.

SEC. 217. A person suffering from any disease, or one in whose residence or among whose associates any disease exists, must keep away from cows, milk, milk products, or milk utensils. When any person engaged in the production, storage, or distribution of milk or its products is suffering from any disease, or when disease exists among his employees, or their immediate associates, or within any building used in any way in the milk or milk products business, no milk or milk products shall be sold or delivered from such dairy, milk, or milk products establishment, except by permission of, and in the manner prescribed by the parish or municipal health officer. No person who has anything to do in the production or handling of milk or milk products shall enter any place where exists any contagious or infectious disease, nor have any communication with any person who is an occupant of such infected place. Every producer who sells milk or milk products directly to the consumer shall promptly notify the parish or municipal health officer of any case of disease among his employees, their immediate associates, or members of his own family. Every milk producer who sells his product to a middleman for resale shall notify said dealer of the existence of any disease as aforesaid, and said middleman dealer shall at once notify the parish or municipal health officer.

No one shall deliver milk or milk products to, or remove any milk bottle or receptacle from, a dwelling where any contagious disease exists until authorized to do so by the parish or municipal health officer in the manner prescribed by him.

SEC. 218. No one shall place, or permit to be placed, in any vessel or utensil used in the production, sale or delivery of milk or milk products any offal, swill, kerosene oil, or other offensive material.

SEC. 219. It shall be unlawful for any person, firm or corporation to carry on any wagon or vehicle from which milk or other dairy product is being delivered or offered for sale as food, any water, swill, garbage, refuse, or any decaying or fermenting, putrefying, unwholesome or filthy matter, or any cans or receptacles containing any material or substance with which milk or cream might be adulterated or rendered impure, unwholesome or unhealthy.

SEC. 220. Milk kept for sale, use, consumption, exchange, barter or other disposition as food for human beings in any store, shop, restaurant, market, bakery, hotel or other establishment shall always be in a covered cooler, box, or refrigerator, which shall be substantially constructed, lined with metal, cement or tiles, and, if its construction permits, elevated at least 6 inches above the floor. Said cooler, box or refrigerator shall be well ventilated and properly drained; it must be easy of access and kept scrupulously clean.

SEC. 221. *Certified milk.*—The use of the term "certified" shall be limited to milk produced in conformity with the requirements of the American Association of Certified Milk Commissions. A certified milk commission before being recognized by the State board of health shall register with said board its name and the name of the dairies operated under its supervision, and shall certify that the requirements of the Louisiana State board of health, as well as those of the American Association of Certified Milk Commissions, have been complied with.

SEC. 222. *Inspected milk.*—The use of the term "inspected" shall be limited to milk produced under the supervision of medical milk commissions, or to milk produced by individual dairymen who shall register with the State board of health and certify that

its requirements have been complied with. The class of milk called "inspected" shall consist of clean raw milk from healthy cows, as determined by the tuberculin test and physical examination by veterinarians recognized by the Bureau of Animal Industry, United States Department of Agriculture, or by the Louisiana State live stock sanitary board, and from dairies that score not less than 75 on the dairy score card of the Louisiana State board of health. The cows are to be fed, watered, housed and milked under good conditions. All persons who come in contact with the milk must exercise scrupulous cleanliness and must not harbor the germs of typhoid fever, tuberculosis, diphtheria, or other infectious diseases liable to be conveyed by milk. This milk shall be delivered in sterilized containers and shall be kept at a temperature of 50° F. until it reaches the consumer. It shall contain less than 100,000 bacteria per cubic centimeter.

SEC. 223. *Pasteurization*.—The term "pasteurization" shall be construed to mean the heating of the milk between the limits of 140° F. and 155° F. At 140° F. the minimum exposure shall be 20 minutes. For every degree above 140° F. the time may be reduced one minute. In no case shall the exposure be for less than five minutes.

The term "pasteurized milk" shall be construed to mean milk which has undergone the process of pasteurization.

After pasteurization the milk shall be immediately cooled to 50° F., or less, and kept thereat.

All pasteurizers shall be equipped with a self-registering apparatus to record during the operation the temperature and time of pasteurization of the product. The record chart shall be preserved, subject to the inspection at any reasonable time of the authorized officials of the State, parish, and municipal boards of health.

SEC. 224. *Milk plants*.—All milk plants shall be so constructed that the difficulty of keeping the place clean and sanitary shall be reduced to a minimum. The floors shall be made of asphalt, cement, or other smooth waterproof substance, laid so as to allow rapid and thorough drainage; the walls and ceilings shall be smooth, tight, and kept painted in some light color; the window space shall be equivalent to at least 10 per cent of the floor space.

The equipment shall be so arranged and constructed as to be easily and thoroughly cleaned; all piping used to convey milk must be of the sanitary take-down form. Windows and doors shall be provided with sound screens, of mesh sufficiently fine to keep out flies and other insects. The building and equipment shall at all times be kept clean and free from flies and odors.

SEC. 225. The sale of skimmed condensed milk in containers holding less than one-half gallon is forbidden: *Provided*, A hermetically sealed container holding less than one-half gallon may be sold if, in addition to a compliance with all existing laws, there appear on the principal label, in a conspicuous place, in letters not smaller than those used in the direction for dilution, the words: "Condensed skimmed milk should not be fed to babies, children, or invalids; it lacks the full food value of whole condensed milk"

SEC. 226. It shall be the duty of all proprietors, managers, or operators of dairies, creameries, and milk plants, or other places for the manufacture of food products, to post conspicuously in their places of business, as soon as received, such notices, placards, and warnings as may in the opinion of the board of health be necessary for the purpose of the education and enlightenment of said proprietors, managers, or operators.

SEC. 227. The State and local boards of health, their members, officers, authorized agents and appointees, shall at all times have access to any dairy or other place where milk or any of its products are produced for sale, and to all establishments, plants, depots, or stores where milk or any of its products are kept or stored for sale, and it shall be unlawful for any person to prevent, or attempt to prevent, such access, and such a prevention or attempted prevention shall be deemed a violation of this code.

**SEC. 228.** The regulations on dairies and milk products herein enacted are adopted under authority of act 150 of 1910, and represent a minimum requirement below which no municipality has authority to go. These do not preclude a municipality of over 1,000 inhabitants from enacting more stringent sanitary regulations on this subject, provided same are not in conflict with act 150 of 1910 and these regulations: *Provided, however,* That all regulations adopted by municipalities on this subject must be approved by the State board of health.

**Foodstuffs—Places Where Stored, Prepared, or Sold Must not be Used for Domestic or Sleeping Purposes. (Reg. Bd. of H., Feb. 18, 1915.)**

Section 268 was amended by the addition of the following as paragraph (e):

"(e) No room occupied wholly or partly as a fish or meat market, nor other place where food is stored, sold, prepared, or served to the public, shall be used for domestic or sleeping purposes."

**Proprietary or Patent Medicines for Internal Use—Sale and Dispensing—Registration with State Board of Health. (Reg. Bd. of H., Dec. 18, 1915.)**

Section 552a<sup>1</sup> of the sanitary code was amended to read as follows:

**SEC. 552a.** No proprietary or patent medicine manufactured, prepared, or intended for internal human use shall be held, offered for sale, or given away in the State of Louisiana until all requirements of acts relating to same and the following requirements shall, in each instance, have been met.

No manufacturer or proprietor of any preparation—proprietary or patent—for internal human use, shall hold, offer for sale, or give away, in the State of Louisiana any such preparation without having first filed with the State board of health an affidavit certifying to and guaranteeing same in accordance with the following official form:

I, or we, the undersigned, manufacturers and proprietors of the following named preparations, \* \* \* do hereby certify and guarantee that these said preparations comply with the Harrison antinarcotic law, the Federal pure food and drug act, 1906, the laws of the State of Louisiana, and the pure food and drug regulations of the Louisiana State Board of Health.

I, or we, further certify and guarantee that the labels, cartons, and wrappers on said preparations do not contain any assertion, representation, or statement of fact which is untrue, deceptive, or misleading, nor anything of a fraudulent nature.

The expression "proprietary or patent medicine," for the purpose of this section, shall be taken to mean and include every medicine or medicinal compound manufactured, prepared, or intended for internal human use, the name, definition or composition of which is not to be found in the United States Pharmacopoeia or National Formulary.

The provisions of this section shall not, however, apply to any medicine or medicinal compound sold or given away upon the written prescription of a duly licensed physician or dentist, provided such medicine or medicinal compound be sold or given away to or for the use of the person for whom it shall have been prescribed, and provided also that the said prescription shall have been filed at the establishment or place where such medicine or medicinal compound is sold or given away in chronological order according to the date of the receipt of such prescription at such establishment or place. Every prescription shall remain so filed for a period of two years.

No manufacturer, dealer, agent, salesman, or saleswoman shall cause to be printed, written, or indicated on any bottle, wrapper, carton, or other container, in any newspaper, circular, poster, handbill, or otherwise, any advertisement of any proprietary or patent medicine, with intent to sell, give away, barter, exchange, or in anywise dispose of same, which contains any assertion, representation, or statement of fact untrue, deceptive, or misleading.

<sup>1</sup> Public Health Reports, Apr. 9, 1915, p. 1115.

No official shall issue a permit or license authorizing the sale of preparations by an itinerant vendor.

The penalty for the violation of this regulation shall be as provided in section 3 of act 98 of 1906, as follows:

That any person violating any of the provisions of said sanitary code shall, on conviction by any court of competent jurisdiction, be fined not less than \$10 nor more than \$200 for the first offense; not less than \$25 nor more than \$400 for the second offense; not less than \$50 nor more than \$500, or imprisonment for not less than 10 days nor more than 6 months, or both, in the discretion of the court, for each subsequent offense.

**Schools—Antiseptic Dressing for Floors. (Reg. Bd. of H., Jan. 18, 1915.)**

Section 122e of the sanitary code was amended to read as follows:

SEC. 122e. The floors of every school must be treated with some antiseptic floor dressing. Applications to be made at sufficient intervals to keep down effectually the dust; floors to be scrubbed thoroughly before application. Manufacturers and dealers in submitting floor dressings for use in schools must give to the State board of health satisfactory evidence from reputable bacteriologists, together with a guarantee that the materials are efficient.

of water and sewage of the State board of health at least once each year and samples collected for analysis. Samples so collected shall be subjected to a complete analysis at the water and sewage laboratory of the State board of health, including microscopical, bacteriological, sanitary, chemical, and mineral examinations.

2. A second sample shall be collected, according to directions sent out by the water and sewage laboratory of the State board of health, by city officials, waterworks officials, or other persons authorized by the secretary of the State board of health, upon receipt of container from said laboratory, and shall return said container within one week from date of receipt.

3. Results of these analyses, with any pertinent remarks and advice, shall be reported to the person whose name is signed to the information blank and to the secretary of the State board of health.

4. As many additional analyses shall be made as are deemed necessary by the engineer of the State board of health to show the quality of the water.

(1) Analyses of proposed city supplies shall be made upon request to the water and sewage division of the State board of health.

5. Fees for service rendered under these rules and regulations for ground-water supplies shall be payable July 1 of each year to the director of the water and sewage laboratory of the State board of health at the University of Kansas, Lawrence, Kans.

6. Fees have been fixed, based upon the population of the cities. The population of a city shall be taken from the preceding State enumeration.

Population of cities—	Fees.
Under 500.....	\$12.50
500- 1,000.....	20.00
1,000- 2,000.....	25.00
2,000- 3,000.....	30.00
3,000- 5,000.....	35.00
5,000-15,000.....	40.00
15,000 and up.....	50.00

*Rules and regulations governing collections of samples and analysis of water from city supplies furnishing surface water to the public.—*

(2) Analyses of chemicals used in water purification shall be analyzed [sic] upon request.

1. A complete sanitary inspection of city supplies furnishing surface water shall be made twice annually, and tests of the operation of the plant shall be carried on at the time of these inspections by a representative of the division of water and sewage of the State board of health.

2. Samples shall be collected weekly, according to directions of the water and sewage laboratory, by city officials, waterworks officials or other persons authorized by the secretary of the State board of health from the raw and finished treated water and sent to said laboratory for analysis in containers furnished.

3. Results of these analyses, with any pertinent remarks and advice, shall be reported to the person whose name is signed to the information sheet and to the secretary of the State board of health.

4. City officials shall be required to keep any data on the operation of purification plants that may be required by the division of water and sewage of the State board of health. This data shall be transmitted to the engineer of the division upon his request.

5. Fees for the services rendered under these rules and regulations pertaining to surface water supplies shall be payable July 1 of each year to the director of the water and sewage laboratory of the State board of health at the University of Kansas, Lawrence, Kans.

6. Fees have been fixed, based upon the population of the cities. The population of a city shall be taken from the preceding State enumeration.

Population of cities—	Fees.
Under 1,500.....	\$30
1,500-3,000.....	50
3,000-6,000.....	90
6,000-10,000.....	100
10,000 and above.....	150

1. *Rules and regulations governing collection of samples and analysis of drinking water supplied by common carriers.*—Sanitary inspections of the sources of supply and methods of handling water furnished by common carriers to the public within the State shall be made twice annually by a representative of the division of water and sewage of the State board of health.

2. Samples shall be collected at the time of inspection from the sources of supply and the place where trains are watered. Samples so collected shall be subjected to complete analysis in the water and sewage laboratory of the State board of health in accordance with the standard adopted by the United States Treasury Department for drinking water supplied to the public by common carriers in interstate commerce.

3. Results of these analyses shall be reported to the proper railroad officials, to the secretary of the State board of health, and to the Surgeon General of the United States Public Health Service.

4. In case a water supply furnished by common carriers to passengers in the State does not meet the requirements of the standard of the Treasury Department, and repairs or improvements on the supply are made with the approval of the division of water and sewage of the State board of health, one additional analysis shall be made without cost to the common carrier.

5. Railroads or common carriers shall file with the water and sewage laboratory of the State board of health a list of all places in the State of Kansas where passenger trains are furnished with water for drinking purposes, and the said laboratory shall be notified at once in case any change is made in the source of supply or method of handling the water.

6. The fees for the services rendered under these rules and regulations pertaining to railroads or common carriers shall be payable July 1st of each year to the director of the water and sewage laboratory of the State board of health at the University of Kansas, Lawrence, Kans.

7. The fee for analysis shall be \$30 annually for each place where passenger trains are furnished with water to be used by passengers.

1. *Rules and regulations governing collection of samples and analysis of waters sold to the public for domestic consumption in bottles or other containers.*—All plants for the preparation of water for sale in bottles or other containers for domestic consumption and the sources of water supply shall be inspected twice annually by a representative of the division of water and sewage of the State board of health and samples collected for complete analysis by the water and sewage laboratory of the State board of health.

2. Bottles or other containers in which water is sold to domestic consumers must be sterilized before refilling. The method of sterilization shall be passed upon and approved by the water and sewage laboratory of the State board of health, subject to approval by the State board of health.

3. Processes of purification of waters that are to be sold for domestic consumption must be passed upon and approved by the water and sewage laboratory of the State board of health, subject to approval by the State board of health, before the water can be sold or offered for sale.

4. Any company, corporation, or individual outside of the State of Kansas preparing water for sale within the State of Kansas shall file full information with the water and sewage laboratory of the State board of health at the University of Kansas, Lawrence, Kans., as to the sources of supply and methods of sterilization of bottles, and equipment for handling the water, and shall collect samples twice each year,

according to directions, in containers sent out by the water and sewage laboratory of the State board of health, and return same at once for complete analysis, carriage charges prepaid.

5. Reports of analysis shall be made to the person signing the information blank and to the secretary of the State board of health, and permits shall be issued by the secretary of the State board of health for the sale of a water based upon the results of analysis and inspection and the recommendations of the division of water and sewage of the State board of health.

6. The fees for the services rendered under these rules and regulations pertaining to bottled and treated waters shall be payable July 1 of each year to the director of the water and sewage laboratory of the State board of health at the University of Kansas, Lawrence, Kans.

7. The fee shall be \$30 annually for each source of supply from which water is bottled.

In case a person, company, corporation, institution, or municipality believes that a decision of the division of water and sewage of the State board of health is unjust or unfair in any matter pertaining to the administration of the rules and regulations herein contained, he shall within 30 days have the privilege of appealing to the State board of health as a whole, and said State board of health shall approve, set aside, or modify the decision of the division of water and sewage.

Fees collected under these rules and regulations shall be distributed over the expenses of collection and shipping of samples and making of analyses, under the direction of the State board of health, subject to the approval of the board of administration of educational institutions.

**Ice—Analyses of, when Sold for Domestic Purposes. (Reg. Bd. of H., Oct. 4, 1915.)**

1. Corporations or individuals selling artificial ice for domestic consumption shall submit to the water and sewage laboratory of the State board of health complete information concerning the source of water supply used for the manufacture of the ice and detailed description of the process involved.

2. A 50-pound cake of ice manufactured shall be sent to the water and sewage laboratory of the State board of health, Lawrence, Kans., each year for complete analysis. Results of these analyses shall be reported to the person whose name is signed to the information sheet and to the secretary of the State board of health.

3. Artificial ice shall contain less than 100 bacteria per cubic centimeter and no organisms of the bacillus coli group in 1 cubic centimeter. If the ice does not meet these requirements it shall be sold for refrigeration purposes only and not for domestic consumption.

4. Corporations or individuals harvesting natural ice shall file full information with the water and sewage laboratory of the State board of health with regard to the source of the ice and the method of storage.

5. A 50-pound cake of the ice shall be shipped to the water and sewage laboratory of the State board of health during March or April each year for complete analysis.

6. Natural ice properly stored shall contain less than 100 bacteria per cubic centimeter and no organisms of the bacillus coli group in 1 cubic centimeter. If the ice does not meet these requirements it shall be sold for refrigeration purposes only and not for domestic consumption.

7. County health officers shall furnish the water and sewage laboratory of the State board of health with lists of ice dealers in their districts.

8. Fees for the services rendered under these rules and regulations pertaining to ice supplies shall be payable by the manufacturer or owner of the ice plant January 1 of each year to the director of the water and sewage laboratory of the State board of health at the University of Kansas, Lawrence, Kans.

9. Fee shall be \$15 annually for each source of supply of ice which is sold for domestic consumption.



**Births and Deaths—Registration—Local Registrar—Removal Permits.**  
(Chap. 340, Act Mar. 17, 1915.)

SECTION. 1. That section 1, chapter 306, session laws of 1913 be, and the same is hereby amended to read as follows:

"SEC. 4. The city clerk of each incorporated city shall be the local registrar of vital statistics of such city and such additional territory as may be designated, and where necessary the township clerk or other suitable person shall be the local registrar for such territory as may be designated. Local registrars shall issue burial or removal permits and receive birth certificates for their respective districts. Removal permits properly issued within the State shall be accepted as burial permits for interment in any cemetery within the State."

SEC. 2. That original section 1, chapter 306, session laws of 1913, and all acts or parts of acts in conflict herewith be, and the same are hereby, repealed.

**Sewers—Connections with. (Act Mar. 18, 1915.)**

SECTION 1. Any city of the first, second, or third class may by ordinance require persons and property owners owning dwelling houses or buildings within cities of the first, second, or third class of the State of Kansas, which building or buildings are or shall be located near a sewer or in a block wherein any such sewer district in said city through which a sewer extends, to make such connections with said sewer system of said city as may be necessary, in the judgment of the board of health, for the protection of the health of the public, for the purpose of disposing of all substances from any such building affecting the public health which may be lawfully and properly disposed of by means of such sewer; and any person or persons who shall fail, neglect, or refuse to so connect any building or buildings with the sewer system of such cities, as herein provided for, for more than 10 days after being notified in writing by the board of health of such cities to do so, any such city may cause such premises and buildings to be connected with said sewer system, and are hereby authorized to advertise for bids for the construction and making of such sewer connections and to contract therefor with the lowest responsible bidder or bidders, and cause such premises to be connected with said sewer system, and to assess the costs and expenses thereof against the property and premises so connected, such assessment to be made in the same manner as other special assessments are made.

**Sewage—Construction of Plants for the Pumping of, in Certain Cities. (Chap. 129, Act Mar. 13, 1915.)**

SECTION 1. Whenever, in the judgment of the mayor and council or mayor and commissioners of any city of the first, second, or third class in the State of Kansas, in the construction of a main sewer or a main intercepting sewer in connection with its system of sewers and drains, that, on account of elevation or for any other reason, it is impracticable or too expensive to excavate in connecting such main sewer or main intercepting sewer with another main sewer district or main intercepting sewer, in order to provide an outlet for the sewage of such main sewer or main intercepting sewer district, the mayor and council or mayor and commissioners of such city are hereby empowered to construct a pumping station for the purpose of pumping sewage of such main sewer or main intercepting sewer to some other main sewer district in said city, in order to conduct the sewage thereof to a point of outlet.

SEC. 2. Before any such pumping plant shall be constructed the plans and specifications of such pumping station shall first be submitted to the department of the board of health of the State of Kansas and be approved by such department.

SEC. 3. The cost of construction of such pumping station may be paid from the general fund of such city, or if there be not sufficient money in such fund such city is hereby authorized to issue improvement bonds for the payment thereof to an amount

Persons who are not patients in these shall be admitted to these sanatoriums only after examination by any reputable physician or the superintendent of the sanatorium and person shall be found to be suffering from tuberculosis according to the capacity of the sanatorium, such persons shall be treated or treatment in all stages of the disease. Whenever a person is received for treatment in any of these State sanatoriums the charge for treatment shall be as follows: If upon the inquiry into the circumstances of a patient the superintendent of the sanatorium finds such patient or his relatives unable to pay for the care and treatment in whole or in part, the charge for such care and treatment shall be paid out of the State. No discrimination shall be made in the accommodation, care, or treatment of any patient because of the fact that he is or is not a native born or in not contribute in whole or in part to the charges for treatment: and no officer or employee of such State sanatorium shall accept from any person money and fee or gratuity whatever for any service rendered.

Sec. 3. The government of the several sanatoriums shall be vested in a "board of trustees for the several sanatoriums." Said board of trustees shall consist of five members who shall be residents of the State, appointed by the governor and approved by the council as soon as may be after the passage of this act. The original appointments shall be for the respective terms of five, four, three, two, and one years. Thereafter one member shall be appointed annually for the full term, which shall be five years, except the appointment of persons to fill vacancies shall be made for the unexpired term. No more than three of any one political party shall serve on the board of trustees at one time. It shall be the duty of the said board as soon as practicable to erect necessary buildings or to alter any buildings, on property acquired, for sanatorium use in the proper care and treatment of persons sick with tuberculosis. The said board shall have the general management and supervision of the State tuberculosis sanatoriums and one or more of said trustees shall visit each institution under supervision at least once each month. The said board of trustees shall, on or before the 1st day of October of each year, furnish a report to the governor and council containing a history of the several sanatoriums for the year and a complete statement of all accounts, with all the funds, general and special, appropriated or belonging to said sanatoriums, including a detailed statement of disbursements.

Sec. 4. The board of trustees may appoint the superintendents, physicians, assistants, and other employees, and fix the salaries of the same, for the proper administration of the several sanatoriums; and said board shall have like duties and like powers as those required of and vested in the trustees of other State hospitals.

Sec. 5. The governor and council shall, before payment, approve all bills of the board of trustees contracted in establishing and maintaining or operating the State tuberculosis sanatoriums.

Sec. 6. The board of trustees shall have authority to accept and hold in trust for the State, any grant or device of land, or any gift or bequest of money or other personal property, or any donation to be applied, principal or income, or both, for the benefit of either or all said sanatoriums; and to apply the same in accordance with the terms of the gift.

Sec. 7. The members of the board of trustees shall receive \$5 per diem when on official business connected with these several tuberculosis sanatoriums, plus their necessary expenses.

Sec. 8. For carrying out the provisions of this act the sum of \$75,000 shall be, and hereby is appropriated for the year ending June 30, 1916.

Sec. 9. The rules and regulations of the several sanatoriums shall be subject to the approval of the governor and council, and the consent of the council, shall be.

**State Board of Health—Organization, Powers, and Duties. (Chap. 338, Act Apr. 2, 1915.)**

SECTION 1. Section 2 of chapter 18 of the Revised Statutes is hereby amended by striking out all of said section which follows the word "shall" in line 19 and inserting in place thereof the words, "as soon as practicable after the close of each year which is indicated by an odd number, report to the governor and council of their doings, investigations, and discoveries during the biennial period just ended, with such suggestions as to legislative action as they may deem necessary," so that said section, as amended, shall read as follows:

"SEC. 2. The State board of health shall have the general supervision of the interests of health and life of the citizens of the State. They shall study the vital statistics of the State, and endeavor to make intelligent and profitable use of collected records of deaths and of sickness among the people; they shall make sanitary investigations and inquiries respecting the causes of disease and especially of communicable diseases and epidemics, the causes of mortality, and the effects of localities, employments, conditions, ingesta, habits, and circumstances on the health of the people; they shall investigate the causes of disease occurring among the stock and domestic animals in the State, and the methods of remedying the same; they shall gather such information in respect to all these matters as they may deem proper for diffusion among the people; they shall, when required, or when they shall deem it best, advise officers of the Government, or other boards within the State, in regard to the location, drainage, water supply, disposal of excreta, heating and ventilation of any public institution or building; they shall from time to time examine and report upon works on the subject of hygiene for the use of schools of the State; they shall have general oversight and direction of the enforcement of the statutes respecting the preservation of health; and they shall, as soon as practicable after the close of each year which is indicated by an odd number, report to the governor and council of their doings, investigations, and discoveries during the biennial period just ended, with such suggestions as to legislative action as they may deem necessary."

SEC. 2. Section 3 of chapter 18 of the Revised Statutes is hereby amended by striking out the whole of said section and substituting therefor the following:

"SEC. 3. The board shall meet quarterly and at such other times as they may deem expedient. Their meetings may be held in Augusta, or in such other places as the exigencies or circumstances of their service may require. Suitable accommodations for the meetings of the board and office room for its secretary shall be provided at the State capitol. A majority shall be a quorum for the transaction of business. They shall choose annually one of their number to be their president, and may adopt rules and by-laws subject to the provisions of this chapter. They may send the secretary, or a representative of the board, to any part of the State when deemed necessary to conduct an investigation within the scope of their prescribed work, and they may send the secretary or other representative of the board to places outside of the State when it may be deemed necessary for the purpose of making investigations or of conferring with other State or municipal public health authorities at meetings or conventions when said meetings convene for the consideration and discussion of measures for the improvement of the public health."

SEC. 3. Section 8 of said chapter, as amended by section 2 of chapter 48 of the public laws of 1909 and as further amended by chapter 149 of the public laws of 1913, is hereby still further amended by striking out the words "or typhus fever" in line 5 of said section and inserting in place thereof the words "typhoid fever or other dangerous, infectious, or contagious disease," and also by striking out the words "when death results from any infectious or contagious disease" in line 34, so that said section, as amended, shall read as follows:

"SEC. 8. The more effectually to protect the public health the State board of health may establish such systems of inspection as in its judgment may be necessary to

SEC. 2. Persons having legal residence in Maine shall be admitted to these sanatoriums from any part of the State; provided after due examination by any reputable physician or the superintendent of the sanatorium said person shall be found to be suffering from tuberculosis. According to the capacity of the sanatorium, such patients shall be eligible for treatment in all stages of the disease. Whenever a patient is received for treatment in any of these State sanatoriums the charge for treatment shall not exceed \$5 per week. If upon due inquiry into the circumstances of a patient, the superintendent of the sanatorium finds such patient or his relatives unable to pay for his care and treatment in whole or in part, the charge for such care and treatment not so paid shall be laid upon the State. No discrimination shall be made in the accommodation, care, or treatment of any patient because of the fact that the patient or his relatives do or do not contribute in whole or in part to the charge for treatment; and no officer or employee of such State sanatorium shall accept from any patient thereof any fee or gratuity whatever for any service rendered.

SEC. 3. The government of the several sanatoriums shall be vested in a "board of trustees for tuberculosis sanatoriums." Said board of trustees shall consist of five members who shall be residents of the State, appointed by the governor and approved by his council as soon as may be after the passage of this act. The original appointments shall be for the respective terms of five, four, three, two, and one years. Thereafter one member shall be appointed annually for the full term, which shall be five years, except the appointment of persons to fill vacancies shall be made for the unexpired term. No more than three of any one political party shall serve on the board of trustees at one time. It shall be the duty of the said board as soon as practicable to erect necessary buildings or to alter any buildings, on property acquired, for sanatorium use in the proper care and treatment of persons sick with tuberculosis. The said board shall have the general management and supervision of the State tuberculosis sanatoriums and one or more of said trustees shall visit each institution under supervision at least once each month. The said board of trustees shall, on or before the 1st day of October of each year, furnish a report to the governor and council containing a history of the several sanatoriums for the year and a complete statement of all accounts, with all the funds, general and special, appropriated or belonging to said sanatoriums, including a detailed statement of disbursements.

SEC. 4. The board of trustees may appoint the superintendents, physicians, assistants, and other employees, and fix the salaries of the same, for the proper administration of the several sanatoriums; and said board shall have like duties and like powers as those required of and vested in the trustees of other State hospitals.

SEC. 5. The governor and council shall, before payment, approve all bills of the board of trustees contracted in establishing and maintaining or operating the State tuberculosis sanatoriums.

SEC. 6. The board of trustees shall have authority to accept and hold in trust for the State, any grant or device of land, or any gift or bequest of money or other personal property, or any donation to be applied, principal or income, or both, for the benefit of either or all said sanatoriums; and to apply the same in accordance with the terms of the gift.

SEC. 7. The members of the board of trustees shall receive \$5 per diem when on official business connected with these several tuberculosis sanatoriums, plus their necessary expenses.

SEC. 8. For carrying out the provisions of this act the sum of \$75,000 shall be, and hereby is, appropriated for use within the years 1915 and 1916.

SEC. 9. The acts of the board of trustees shall be subject to the approval of the governor and council, and the governor, with the advice and consent of the council, shall have authority to remove any trustee for cause.

**State Board of Health—Organization, Powers, and Duties. (Chap. 338, Act Apr. 2, 1915.)**

SECTION 1. Section 2 of chapter 18 of the Revised Statutes is hereby amended by striking out all of said section which follows the word "shall" in line 19 and inserting in place thereof the words, "as soon as practicable after the close of each year which is indicated by an odd number, report to the governor and council of their doings, investigations, and discoveries during the biennial period just ended, with such suggestions as to legislative action as they may deem necessary," so that said section, as amended, shall read as follows:

"SEC. 2. The State board of health shall have the general supervision of the interests of health and life of the citizens of the State. They shall study the vital statistics of the State, and endeavor to make intelligent and profitable use of collected records of deaths and of sickness among the people; they shall make sanitary investigations and inquiries respecting the causes of disease and especially of communicable diseases and epidemics, the causes of mortality, and the effects of localities, employments, conditions, ingesta, habits, and circumstances on the health of the people; they shall investigate the causes of disease occurring among the stock and domestic animals in the State, and the methods of remedying the same; they shall gather such information in respect to all these matters as they may deem proper for diffusion among the people; they shall, when required, or when they shall deem it best, advise officers of the Government, or other boards within the State, in regard to the location, drainage, water supply, disposal of excreta, heating and ventilation of any public institution or building; they shall from time to time examine and report upon works on the subject of hygiene for the use of schools of the State; they shall have general oversight and direction of the enforcement of the statutes respecting the preservation of health; and they shall, as soon as practicable after the close of each year which is indicated by an odd number, report to the governor and council of their doings, investigations, and discoveries during the biennial period just ended, with such suggestions as to legislative action as they may deem necessary."

SEC. 2. Section 3 of chapter 18 of the Revised Statutes is hereby amended by striking out the whole of said section and substituting therefor the following:

"SEC. 3. The board shall meet quarterly and at such other times as they may deem expedient. Their meetings may be held in Augusta, or in such other places as the exigencies or circumstances of their service may require. Suitable accommodations for the meetings of the board and office room for its secretary shall be provided at the State capitol. A majority shall be a quorum for the transaction of business. They shall choose annually one of their number to be their president, and may adopt rules and by-laws subject to the provisions of this chapter. They may send the secretary, or a representative of the board, to any part of the State when deemed necessary to conduct an investigation within the scope of their prescribed work, and they may send the secretary or other representative of the board to places outside of the State when it may be deemed necessary for the purpose of making investigations or of conferring with other State or municipal public health authorities at meetings or conventions when said meetings convene for the consideration and discussion of measures for the improvement of the public health."

SEC. 3. Section 8 of said chapter, as amended by section 2 of chapter 48 of the public laws of 1909 and as further amended by chapter 149 of the public laws of 1913, is hereby still further amended by striking out the words "or typhus fever" in line 5 of said section and inserting in place thereof the words "typhoid fever or other dangerous, infectious, or contagious disease," and also by striking out the words "when death results from any infectious or contagious disease" in line 34, so that said section, as amended, shall read as follows:

"SEC. 8. The more effectually to protect the public health the State board of health may establish such systems of inspection as in its judgment may be necessary to

ascertain the actual or threatened presence of the infection of Asiatic cholera, small-pox, diphtheria, scarlet fever, plague, typhoid fever or other dangerous, infectious, or contagious disease; and any duly authorized agent or inspector of said board may enter any building, vessel, railway car or other public vehicle, to inspect the same and to remove therefrom any person affected by said diseases; and for this purpose he may require the person in charge of any vessel or public vehicle other than a railway car to stop such vessel or vehicle at any place, and he may require the conductor of any railway train to stop his train at any station or upon any side track and there detain it for a reasonable time: *Provided*, That no conductor shall be required to stop his train when telegraphic communication with the dispatcher's office can not be obtained or at such times or under such circumstances as may endanger the safety of the train and passengers: *And provided further*, That any such agent or inspector may cause any car which he may think may be infected with any of said diseases to be sidetracked at any suitable place and there be cleansed, fumigated and disinfected. And the said board of health may from time to time, make, alter, modify, or revoke rules and regulations for guarding against the introduction of any infectious or contagious diseases into the State, including rabies, or hydrophobia of animals and men; for the control and suppression thereof if within the State; for the quarantine and disinfection of persons, localities and things infected or suspected of being infected by such diseases; for guarding against the transmission of infectious and contagious diseases through the medium of common towels, common drinking cups and other articles which may carry infection from person to person; for the sanitation of railway service and that of other common carriers, for the transportation of dead bodies; for the speedy and private interment of the bodies of persons who have died from said diseases; and, in emergency, for providing those sick with said diseases with necessary medical aid and with temporary hospitals for their accommodation and for the accommodation of their nurses and attendants. And the said board may declare any and all of its rules and regulations made in accordance with the provisions of this section to be in force within the whole State, or within any specified part thereof, and to apply to any person or persons, family, camp, building, vessel, railway car or public vehicle of any kind."

**Local Boards of Health—Duties of. (Chap. 338, Act Apr. 2, 1915.)**

SEC 4. Paragraph three of section 30 of chapter 18 of the Revised Statutes is hereby amended by striking out all of said paragraph following the word "diseases" in line 16 of said paragraph and inserting in place thereof the words "occurring within the limit of its jurisdiction and shall report to said board every case of such infectious or contagious diseases as the rules and regulations of said board shall require. Those diseases which the rules and regulations of the State board of health may require to be reported shall be known, under the terms of this act, as notifiable diseases. Diseases which the State board of health may promulgate as those which shall be quarantined or isolated shall be known as quarantinable diseases," so that said section as amended shall read as follows:

"3. Guard against the introduction of contagious and infectious diseases, by the exercise of proper and vigilant medical inspection and control of all persons and things coming within the limits of its jurisdiction from infected places, or which for any cause, are liable to communicate contagion; give public notice of infected places, by displaying red flags or by posting placards on the entrances of the premises; require the isolation of all persons and things that are infected with, or have been exposed to, contagious or infectious diseases, and provide suitable places for the reception of the same; and furnish medical treatment and care for persons sick with such diseases who can not otherwise be provided for; prohibit and prevent all intercourse and communication with, or use of, infected premises, places and things, and require,

and if necessary, provide the means for the thorough cleansing and disinfection of the same before general intercourse therewith, or use thereof, shall be allowed. And it shall report to the State board of health promptly, facts which relate to infectious and epidemic diseases occurring within the limit of its jurisdiction and shall report to said board every case of such infectious or contagious diseases as the rules and regulations of said board shall require. Those diseases which the rules and regulations of the State board of health may require to be reported shall be known, under the terms of this act, as notifiable diseases. Diseases which the State board of health may promulgate as those which shall be quarantined or isolated shall be known as quarantinable diseases."

**State Laboratory of Hygiene—Appropriation for. (Chap. 274, Act Apr. 1, 1915.)**

Section 23 of chapter 18 of the Revised Statutes, as amended by chapter 26 of the public laws of 1907 and by chapter 40 of the public laws of 1913, is hereby further amended by striking out the words "five thousand" in the first line of said section and inserting in place thereof the words "six thousand," so that said section as amended shall read as follows:

"Section 23. The sum of \$6,500 a year is hereby appropriated to pay for the services of the director, and of such assistance as may be necessary, to procure the necessary supplies, and to meet the other necessary expenses of said laboratory, which sum shall be expended under the supervision of the State board of health."

**School Physicians—Appointment and Duties—Medical Inspection of Pupils. (Chap. 73, Act Mar. 16, 1909, as Amended by Chap. 174, Act Mar. 24, 1915.)**

SECTION 1. The school committee of every city and town shall appoint one or more school physicians and shall assign one to the medical inspection of not over 1,000 pupils of the public schools within its city or town, and shall provide them with all proper facilities for the performance of their duties as prescribed in this act: *Provided, however,* The said committee has been so authorized by vote of town at regular town meeting or at a special town meeting called for that purpose.

SEC. 2. Every school physician shall make a prompt examination and diagnosis of all children referred to him as hereinafter provided, and such further examination of teachers, janitors, and school buildings as in his opinion the protection of the health of the pupils may require.

SEC. 3. The pupils so examined by school physicians when treatment is necessary shall not be referred to the school physicians for such treatment, except the school physician be the regular family physician of such pupil, but shall be referred to the regular family physician of such pupil through the parents or guardian.

SEC. 4. The school committee shall cause to be referred to a school physician for examination and diagnosis every child returning to a school without a certificate from the board of health or family physician after absence on account of illness or whenever in the judgment of the teacher the circumstances of the absence were such as to require such a certificate; and every child in the schools under its jurisdiction who shows signs of being in ill health or of suffering from infectious or contagious diseases, unless he is at once excluded from school by the teacher; except that in case of schools in remote and isolated situations the school committee may make such other arrangements as may best carry out the purposes of this act.

SEC. 5. The school committee shall cause notice of disease or defects, if any, from which any child is found to be suffering to be sent home to his parents

or guardian. Whenever a child shows symptoms of smallpox, scarlet fever, measles, chicken-pox, tuberculosis, diphtheria or influenza, tonsillitis, whooping cough, mumps, scabies, or trachoma he shall be sent home immediately or as soon as safe and proper conveyance can be found, and the board of health and superintendent of schools shall at once be notified.

SEC. 6. The school committee of every city or town shall cause every child in the public schools to be separately and carefully tested and examined at least once in every school year to ascertain whether he is suffering from defective sight or hearing or from any other disability or defect tending to prevent his receiving the full benefit of his school work, or requiring a modification of the school work in order to prevent injury to the child or to secure the best educational results. Tests of sight and hearing shall be made by the teachers or by the school physicians. The committee shall cause notice of any defect or disability requiring treatment to be sent to the parent or guardian of the child, and shall require a physical record of each child to be kept in such form as the State superintendent of public schools shall prescribe after consultation with the State board of health.

SEC. 7. The State superintendent of public schools shall prescribe, after consultation with the State board of health, the directions for tests of sight and hearing, and shall prescribe and furnish to the school committee suitable rules of instruction, test cards, blanks, record books, and other useful appliances for carrying out the purposes of this act. The State superintendent of public schools may expend during the year 1909 a sum not greater than \$500 for the purpose of supplying the material required for this act.

SEC. 8. Expenses which a city or town may incur by virtue of the authority herein vested in the school committee shall not exceed the amount appropriated for that purpose in cities by the city council and in towns by a town meeting. The appropriation shall precede any expenditure of any indebtedness which may be incurred under this act and the sum appropriated shall be deemed sufficient appropriation in the municipality where it is made. Such appropriation need not specify to what section of the act it shall apply and may be voted as a total appropriation to be applied in carrying out the purposes of this act.

SEC. 9. The provisions of this act shall apply only to cities and towns having a population of less than 40,000 inhabitants.

**Common Drinking Cups and Common Towels—Prohibited in Public Places. (Reg. Bd. of H., Mar. 30, 1915.)**

SECTION 1. The use of a common drinking cup or a common towel on any railroad train or other common carrier or in the stations, waiting rooms, or lavatories connected therewith, or belonging thereto, or in any public, parochial, or private school, or in any State educational institution, or in any hotel or restaurant, or in any theater or other public place of amusement, is prohibited.

SEC. 2. No person, firm, corporation, board, or trustee in control of or in charge of any common carrier or building, room, institution, or place mentioned in section 1, shall place, furnish, or keep in place, any drinking cup or towel for public or common use; and no such person, firm, corporation, board, or trustee shall permit the use of a common drinking cup or a common towel on or in any common carrier, or building, room, institution, or place mentioned in section 1.

SEC. 3. The term common drinking cup as used herein is defined to be any vessel or utensil used for conveying water to the mouth, and available for common use by the public or the passengers, or guests, or inmate of the places mentioned in section 1. The term common towel as used herein shall be construed to mean roller towel or a towel intended or available for common use by more than one person without being laundered after such use.



**Habit-Forming Drugs—Dispensing of, by Physicians, Surgeons, Dentists, and Veterinarians. (Chap. 142, Act Mar. 18, 1915.)**

Section 7<sup>1</sup> of chapter 211 of the public laws of 1913 is hereby amended by striking out after the word "indicated" in the ninth line thereof, the following words, "and the aforesaid practitioners shall keep a record in a book kept solely for that purpose of the name and address of the patient treated, the name of the disease indicated and the quantity of the drug dispensed, furnished, or given away on each separate occasion, which record shall be made within 48 hours of the dispensing, furnishing or giving away, and shall be preserved for at least 2 years, and shall at all times be open to inspection by members of the State board of health, members of the State board of pharmacy or their authorized agents, by State officials or their authorized agents or by the police authorities or officers of cities and towns. But no practitioner of medicine, surgery, or dentistry shall dispense or prescribe, except for his own professional use, more than 4 grains of morphine, cocaine, heroin, opium, or any other hypnotic or narcotic drug, their salts, compounds, or any preparation of the same, unless it be for a chronic, incurable, or malignant disease," so that said section as amended shall read as follows:

SEC. 7. No practitioner of medicine, surgery, dentistry, or veterinary medicine shall dispense, furnish, or give away opium, morphine, heroin, codeine, cannabis indica, cannabis sativa, or any salt compound of said substances or any preparation containing any of the said substances or their salts or compounds, or cocaine or its salts or alpha or beta eucaine or their salts or any synthetic substitute for them, or any preparation containing the same or any salt or compound thereof except in good faith as medicines for diseases indicated.

**Births, Deaths, and Marriages—Town Records of, Previous to 1892—Preservation of. (Chap. 117, Act Mar. 17, 1915.)**

Section 1 of chapter 203 of the public laws of 1903 is hereby amended by striking out the words "five hundred" in the 16th line of said section, and inserting in place thereof the words "one thousand," so that said section, as amended, shall read as follows:

SECTION 1. Whenever the record of the births, marriages, and deaths, previous to the year 1892, beginning at the very earliest date, of any town in this State, shall be collected from church records, church registers, records of clergymen, family bibles, public records, and other available sources, and shall be printed and verified in the manner required by the standing committee of the Maine Historical Society, under the editorship of some person selected by said committee, whose services shall be rendered free and without any compensation, and the work shall appear to them to have been prepared with accuracy, the secretary of state shall purchase 500 copies of such record at a price not exceeding 1 cent per page: *Provided*, That the written copies of the town records shall become the property of the State, and shall be deposited in the office of the State registrar of vital statistics: *And provided further*, That not more than \$1,000 shall be expended by authority of this act in any one year.

**Deaths—Transportation of Bodies. (Reg. Bd. of H., July 28, 1915.)**

Under the authority conferred by section 8 of chapter 18 of the revised statutes as amended, the State board of health hereby makes the following rules and regulations, which shall remain in effect until altered, modified, or revoked by vote of said board:

RULE 1. A copy of the original death certificate, signed by the attending physician, a permit from the town or city clerk or local registrar, and a transit label signed by the shipping funeral director and the initial baggage agent, printed on strong paper, supplied by the State board of health, shall be required for the transportation by

<sup>1</sup>Reprint No. 264 from the Public Health Reports, p. 219.

common carriers of the bodies of persons who have died in this State. The death certificate shall contain such information, if obtainable, as is required in the form of death certificate which is furnished by the department of vital statistics.

The permit of the town or city clerk shall authorize the transportation of the body of the person described in the physician's certificate. The shipping funeral director shall state on the shipping label how the body is prepared, and the local baggage agent shall state thereon the route and the name and address of the escort.

The physician's permit and that of the town or city clerk shall be given to the escort, to be delivered with the body at destination. The shipping label shall be securely attached to the outside case. If the body is sent by express, the physician's certificate and the permit shall be attached to the express way bill and shall be delivered with the body at the destination, and the shipping label shall be attached to the outside case.

If burial is made in this State, the sexton, undertaker, or other person who has charge of the burial shall, after he has presented the conjoined certificate and permit to the town or city clerk for a burial permit, forward them to the secretary of the State board of health within 10 days after he has received them.

**RULE 2.** The transportation of bodies dead of smallpox, plague, Asiatic cholera, yellow fever, typhus fever, diphtheria (membranous croup or diphtheritic sore throat), scarlet fever (scarlet rash or scarletina), erysipelas, and anthrax shall be permitted only under the following conditions: The body shall be thoroughly embalmed with an approved disinfectant fluid, all orifices shall be closed with absorbent cotton, the body shall be washed with the disinfectant fluid, enveloped in a sheet saturated with the same, and placed at once in the coffin or casket, which shall be immediately closed, and the coffin or casket, or the outside case containing the same, shall be metal or metal lined, and hermetically and permanently sealed.

**RULE 3.** The transportation of bodies dead of any diseases other than those mentioned in rule 2 shall be permitted under the following conditions:

(a) When the destination can be reached within 24 hours after death the coffin or casket shall be inclosed in a strong outside box made of good sound lumber, not less than seven-eighths of an inch thick, all joints must be tongued and grooved, top and bottom, put on with cleats or cross pieces, all put securely together, and be tightly closed with white lead, asphalt varnish, or paraffin paint, and a rubber gasket placed on the upper edge between the lid and box: *Provided, however,* That caskets containing embalmed bodies may be shipped to points in this State in tight ordinary casket boxes: *And provided further,* That bodies addressed to the anatomical board of this State may be received for shipment when prepared in such manner as the State board of health may direct.

(b) When the destination can not be reached within 24 hours after death the body shall be thoroughly embalmed and the coffin or casket placed in a strong, well-made outside shipping case.

**RULE 4.** No disinterred body, dead from any disease or cause, shall be transported by common carrier unless approved by the local board of health having jurisdiction at the place of disinterment, and a transit permit and transit label shall be required as provided in rule 1. The disinterment and transportation of bodies dead of diseases mentioned in rule 2 shall not be allowed except upon special permission of the health authorities at both the place of disinterment and the point of destination. All disinterred remains for transportation shall be incased in metal caskets or metal-lined boxes and hermetically sealed: *Provided,* That bodies in a receiving vault when prepared by licensed embalmers shall not be regarded as disinterred bodies until after the expiration of 30 days.

**RULE 5.** The outside case may be omitted in all instances when the body is transported in a hearse or a funeral director's wagon.

**RULE 6.** Every outside case shall have at least four handles, and when over 5 feet 6 inches in length shall have six handles.

**RULE 7.** An approved disinfectant fluid shall contain not less than 5 per cent of formaldehyde gas. The term "embalming," as employed in these rules, shall require the injection by a licensed embalmer of not less than 10 per cent of the body weight for bodies of persons dead of diseases under rule 2, injected arterially in addition to cavity injections; and not less than 6 per cent of the body weight injected arterially in all other cases in addition to cavity injection, and 10 hours shall elapse between the time of embalming and the shipment of the body.

**RULE 8.** The attached form of death certificate, town or city clerk permit, and label as described herein, with these rules printed thereon, shall be used in this State for the shipment of bodies as herein provided.

**Burial—Vaults and Mausoleums—Construction and Maintenance. (Chap. 94, Act Mar. 15, 1915.)**

**SECTION 1.** Before any person, firm, or corporation shall build, construct, or erect any mausoleum, vault, or other burial structure, entirely above ground or partly above and partly by excavation, with the intention and purpose that when so built, constructed, and erected, the same may contain 20 or more deceased human bodies for permanent interment, the person, firm, or corporation shall present all plans for such construction to the State board of health of the State of Maine, and shall obtain the written approval of said board of such plans before proceeding with the construction and erection of said mausoleum, vault, or other burial structure.

**SEC. 2.** All crypts or catacombs placed in a mausoleum, vault, or other burial structure, as described in section 1 of this act, shall be so constructed that all parts thereof may be readily examined by the State board of health or any other health officer, and such crypts or catacombs, when used for the permanent interment of a deceased body, or bodies, shall be so hermetically sealed that no offensive odor or effluvia may escape therefrom.

**SEC. 3.** Should any person, firm, or corporation, build, construct, or erect a mausoleum, vault, or other burial structure, as specified in section 1 of this act, before obtaining the approval of the State board of health, as required in section 1 of this act, or should any person, firm, or corporation, after building or constructing said mausoleum, vault, or other burial structure, in accordance with the requirements of this act, fail to hermetically seal all crypts or catacombs therein after a dead body or bodies have been placed in said crypts or catacombs, according to the requirements of this act, the said person, firm, or corporation shall be fined not less than \$100 nor more than \$500 for each offense, and the court may order the person, firm, or corporation by whose authority said interment or interments were made, in addition to said fine, within a reasonable time to hermetically seal said crypts or catacombs containing said deceased body or bodies, or in the discretion of the court to remove the deceased body or bodies and bury it or them in some suitable cemetery, or the court may order the hermetical sealing of said crypt, or catacomb, to be done under the direction of the board of health in the municipality where said mausoleum, vault, or other burial structure is erected, and that the said person, firm, or corporation shall pay all expenses attending the said work, or the removal of said body or bodies, and the burial of the same in some cemetery, provided the said body or bodies can not be suitably and properly hermetically sealed in said crypts or catacombs.

**SEC. 4.** All fines or penalties provided by the terms of this act may be recovered or enforced by indictment, and the necessary processes for causing the crypts and catacombs to be sealed or the bodies to be removed and buried, may be issued under the direction of any justice of the supreme judicial court or the superior courts in term or vacation time.

SEC. 5. The supreme judicial courts and the superior courts shall have original and concurrent jurisdiction in all cases under the provisions hereof: *Provided*, That the judges of municipal and police courts and trial justices may cause the persons brought before them on complaint under the provisions of this act to recognize with sufficient sureties to appear before the supreme judicial courts or superior courts and, in default thereof, shall commit them.

**Undertakers and Embalmers—Licenses—Renewal of. (Chap. 310, Act Apr. 1, 1915.)**

Section 9 of chapter 181 of the public laws of 1911 is hereby amended by striking out the whole of said section and substituting therefore the following:

"Section 9. All licenses which have been, or may be issued to undertakers by the State board of embalming examiners, shall expire on the 31st day of December annually: *Provided*, That the licenses hereafter issued shall be valid and shall not expire the last day of the following year. Any person holding an embalmer's license under the provisions of this act may have the same renewed by making and filing with the secretary of said board of examiners an application therefor within 30 days preceding the expiration of his or her license, upon blanks prescribed by said board and upon payment of \$1 renewal fee: *Provided, however*, That any person neglecting or failing to have his or her license renewed as above, may have the same renewed by making application therefor within 30 days after date of expiration, and upon payment of \$2 revival and renewal fees."

## **MASSACHUSETTS.**

### **Communicable Diseases—Hospitalization. (Chap. 12, Act Feb. 16, 1915.)**

**SECTION 1.** Section 46 of chapter 75 of the Revised Laws, as amended by section 2 of chapter 206 of the acts of the year 1902, and by section 2 of chapter 365 of the acts of the year 1906, is hereby further amended by striking out the said section and inserting in place thereof the following:

**"SECTION 46.** A magistrate authorized to issue warrants in criminal cases may issue a warrant directed to the sheriff of the county or his deputy, or to any constable or police officer, requiring him, under the direction of the board of health, to remove any person who is infected with a contagious disease, or to take up and impress convenient houses, lodging, nurses, attendants, and other necessities. The removal authorized by this section may be made to a hospital in any city or town established for the reception of persons having smallpox or other disease dangerous to the public health: *Provided*, That the assent of the board of health of the city or town to which such removal is to be made shall first have been obtained."

### **Communicable Diseases—Data Relative to, to be Kept by Local Boards of Health. (Chap. 52, Act Mar. 12, 1915.)**

**SECTION 1.** Section 51 of chapter 75 of the Revised Laws is hereby amended by striking out the words "in blank books to be provided by the secretary of the commonwealth," in the first and second lines, and by inserting after the word "report," in the sixth line, the words "or other data required by the State department of health. Such record shall be kept in such manner or upon such forms as shall be prescribed by the said department," so as to read as follows:

**"SECTION 51.** The board of health shall keep a record of all reports received pursuant to the two preceding sections, which shall contain the name and location of all persons who are sick, their disease, the name of the person who reports the case, and the date of such report or other data required by the State department of health. Such record shall be kept in such manner or upon such forms as shall be prescribed by the said department. Said board shall give immediate information to the school committee of all contagious diseases so reported to them."

### **Tuberculosis and Other Communicable Diseases—Infirmary for Care and Treatment of—Construction, Equipment, and Maintenance of, by Barnstable County. (Chap. 153, Act Apr. 10, 1915.)**

**SECTION 1.** The county commissioners of the county of Barnstable are hereby, authorized and directed to construct, equip and maintain an adequate infirmary for the care and treatment of persons ill with tuberculosis and other contagious diseases. The infirmary shall be owned by the county. For the purpose of providing for its construction, equipment and maintenance, the county commissioners are hereby authorized to issue from time to time bonds or notes of the county to an amount not exceeding \$50,000. Each authorized issue of bonds or notes shall constitute a separate loan. Such bonds or notes shall bear on their face the words "County of Barnstable Infirmary loan, act of 1915;" shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within 10 years from its date; and the amount of such annual payment of any loan in any year

shall not be less than the amount of the principal of the loan payable in any subsequent year. The said bonds or notes shall bear interest at a rate not exceeding 5 per cent per annum, payable semiannually; and they shall be signed by the treasurer of the county and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but they shall not be sold for less than their par value, and the proceeds shall be used only for the purposes specified herein.

SEC. 2. The county commissioners, at the time of authorizing said loan, shall provide for the payment thereof in accordance with the provisions of section 1 of this act; and a sum sufficient to pay the interest as it accrues on the bonds or notes issued as aforesaid by the county, and to make such payments on the principal as may be required under the provisions of this act, shall be levied as a part of the county tax of the county of Barnstable annually thereafter, in the same manner in which other county taxes are levied, until the debt incurred by said loan or loans is extinguished.

SEC. 3. For the purpose of carrying out the provisions of this act the county commissioners of the county of Barnstable may purchase or lease, or take by right of eminent domain, such land, not exceeding 500 acres in extent, as they may deem necessary or convenient therefor. Damages for the taking of land or for the doing of any other act under authority hereof may be recovered in the manner provided by law for the recovery of damages in the case of land taken for highways.

SEC. 4. The county commissioners shall appoint a board of five persons to act as trustees of the infirmary, three of whom shall be physicians and residents of the county, who shall make regulations for its government, and shall appoint a superintendent and such other officers and employees as may be necessary for the proper conduct of the infirmary.

SEC. 5. The location and construction of the said infirmary shall be subject to the approval of the State department of health.

SEC. 6. The towns of the county of Barnstable supporting patients in the said infirmary shall be entitled to any payments or repayments allowed under the laws of the Commonwealth in the same manner and subject to the same conditions which govern the support of tuberculous patients in a city or town hospital.

SEC. 7. The trustees of the said infirmary may receive and care for patients who are able to pay, upon such terms as the trustees shall fix, but preference shall be given to poor patients who are under the care of public health departments within the county.

SEC. 8. The provisions of this act shall relieve the towns of the county of Barnstable from the erection of separate hospitals for the treatment of tuberculosis.

**Tuberculosis—County and District Hospitals—Investigation by State Department of Health Relative to Advisability of Establishment of. (Chap. 136, Res. May 28, 1915.)**

*Resolved,* That the State department of health be authorized and directed to investigate with reference to the advisability of establishing county or district hospitals for the care and treatment of cases of tuberculosis, from cities and towns having less than 50,000 inhabitants. Said department shall report the result of its investigation to the next general court on or before the second Wednesday in January, and shall accompany its report with such recommendations for legislation as it may consider to be advisable.

**Tuberculosis—Hospital Care of Patients—Investigation by State Department of Health and Trustees of Tuberculosis Hospitals Relative to Reimbursement of Cities and Towns. (Chap. 24, Res. Mar. 23, 1915.)**

*Resolved,* That the State department of health and the trustees of hospitals for consumptives are hereby authorized and directed to investigate the subject of reimbursing cities and towns for money expended by them in the care at hospitals of

persons suffering from tuberculosis, and especially the subject matter contained in Senate Document No. 102 of the current year, and to report the result of their investigation to the general court on or before the second Wednesday of January next, together with any recommendations for legislation which said department and trustees may deem expedient.

**Appropriation for Municipal Tuberculosis Hospitals. (Chap. 3, Act Jan. 27, 1915.)**

SECTION 1. A sum not exceeding \$129,868.44 is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, to certain cities and towns for amounts to which they are entitled for establishing and maintaining tuberculosis hospitals during the period ending November 30, 1914.

**Tuberculosis Hospitals—Subsidies to Cities and Towns for Establishment and Maintenance of—Appropriation. (Chap. 3, Special Act Jan. 27, 1915.)**

SECTION 1. A sum not exceeding \$129,868.44 is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, to certain cities and towns for amounts to which they are entitled for establishing and maintaining tuberculosis hospitals, during the period ending November 30, 1914.

**Trustees of Tuberculosis Hospitals—Appropriations. (Chap. 111, Special Act Mar. 2, 1915.)**

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the expenses of the trustees of hospitals for consumptives, for the fiscal year ending on the 30th day of November, 1915, to wit:

For the salary of the secretary and clerks, a sum not exceeding \$5,069.49.

For traveling and other necessary expenses of the trustees, to include printing and binding of their annual report, a sum not exceeding \$4,700.

For the salary of an agent to inspect hospitals in cities and towns, \$1,400.

For salary of a trained social worker to look up discharged patients, a sum not exceeding \$1,200.

**Hospitals—Erection, Maintenance, and Management of, by Cities and Towns. (Chap. 143, Act Apr. 6, 1915.)**

Section 25 of chapter 81 of the Revised Laws is hereby amended by inserting after the word "may," in the first line, the words "purchase or take land, and," and by inserting after the word "maintain," in the same line, the word "thereon," and by striking out the words "by misfortune or poverty," in the second line, so as to read as follows:

"SEC. 25. A city or town may purchase or take land, and erect, establish, and maintain thereon a hospital for the reception of persons who require relief during temporary sickness. City councils and selectmen may make such ordinances, rules, and regulations as they may consider expedient for the appointment of trustees and all other officers and agents necessary for managing such hospitals."

**Indigent Sick Persons—Establishment and Maintenance of Free Beds by Towns Not Maintaining or Managing a Hospital. (Chap. 44, Act Mar. 9, 1915.)**

SECTION 1. Any town not maintaining or managing a hospital may annually appropriate a sum not exceeding \$500, to be paid to a hospital established in such town or in the vicinity thereof, for the establishment and maintenance of a free bed in the hospital for the care and treatment of persons certified by the selectmen of such town to be residents of the town and unable to pay for such care and treatment.

**State Department of Health—Appropriations.** (Chap. 258, Special Act Apr. 6, 1915.)

**SECTION 1.** The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the salaries and expenses of the State department of health, for the fiscal year ending on the 30th day of November, 1915, to wit:

For general work, including the salary of the commissioner, the compensation of the health council, salaries of certain assistants, clerks, and stenographers, traveling and office expenses, a sum not exceeding \$36,400.

For printing and binding the annual report, a sum not exceeding \$4,000.

For the services of engineers, chemists, biologists, clerks, and other employees and experts, and for the necessary traveling and other expenses incurred for the protection of the purity of inland waters, for the examination of sewer outlets, and for the examination of the sanitary condition of certain rivers and watercourses, a sum not exceeding \$56,800.

For salaries, traveling and other expenses of the inspectors of health, a sum not exceeding \$37,500.

For the salary of the director of the division of communicable diseases, a sum not exceeding \$4,000.

For the salary of an epidemiologist, a sum not exceeding \$3,500.

For salaries and expenses for the maintenance of a diagnostic laboratory, a sum not exceeding \$5,300.

For expenses of supplies to be used in connection with the enforcement of the law relative to ophthalmia neonatorum, a sum not exceeding \$500.

For salaries and expenses in connection with the manufacture and distribution of antitoxin and vaccine lymph, and for making a certain investigation and study relative to the Wassermann test, a sum not exceeding \$24,000.

For the salary of the director of the division of food and drugs, a sum not exceeding \$3,000.

For the inspection of milk, food, and drugs, a sum not exceeding \$17,500.

For salaries, traveling and other expenses in connection with slaughtering inspection and the inspection of food products treated by cold storage, a sum not exceeding \$12,000.

For compensation, traveling and other expenses of the State examiners of plumbers, a sum not exceeding \$5,200.

**Sausages or Chopped Meat—Manufacture—License not Required in Cases of Retail Dealers.** (Chap. 22, Act Feb. 23, 1915.)

**SECTION 1.** The provisions of chapter 325 of the acts of the year 1914,<sup>1</sup> requiring a license for the manufacture of sausages or chopped meat, shall not apply to retail dealers in chopped meats and unsmoked sausages who manufacture the same for their retail trade.

**Bread—Substances to be Used in—Inspection of Bakeries.** (Chap. 258, Act May 15, 1915.)

**SECTION 1.** Bread manufactured to be sold by the loaf shall be made from one or more of the following substances: Wheat flour, rye flour, corn flour, lard, vegetable oils, butter, sugar, malt extract, corn sirup, salt, yeast, water, milk, corn sugar, cereal flakes, and any other substance commonly sold at retail as food. Bread in the manufacture of which any other materials are added shall have affixed thereto a label upon which shall be distinctly and conspicuously printed in straight parallel lines of plain, uncondensed, legible type in gothic letters not less than one-fourth of an inch high,

<sup>1</sup> Reprint No. 279 from the Public Health Reports, p. 85.



in the English language, well spaced on a plain ground, a statement indicating the presence of such other materials: *Provided, however*, That no materials of any kind shall be used which are poisonous or which are injurious to health.

SEC. 2. Whoever by himself or by his agents, or as the servant or agent of another, violates any provision of this act shall be punished by a fine of not more than \$500 or by imprisonment for not more than one year.

SEC. 3. The State department of health, boards of health of cities and towns, and their authorized agents, shall have the right to enter all bakeries and other places where bread is made or baked for sale, and may take samples of bread and specimens of all materials used in the manufacture of bread. Whoever prevents, obstructs, or interferes with the State department of health, a board of health, or any agent of the department or of any such board in the performance of its or his duties as specified herein, or hinders, obstructs, or interferes with any inspection or examination authorized hereby, shall be punished by a fine of not more than \$500 or by imprisonment for not more than one year.

#### **Cold Storage Eggs—Marking of. (Reg. Bd. of H., July 6, 1915.)**

The sign or placard required by section 1 of chapter 538<sup>1</sup> of the Acts of 1913, as amended by chapter 55<sup>2</sup> of the General Acts of 1915, to be placed upon or immediately above cold-storage eggs, or upon the basket, box, or other container in which cold-storage eggs are placed, shall consist of the words "Cold-storage eggs," printed in uncondensed gothic type, in letters not less than 1 inch in height, printed in black on a white background, no other lettering to appear on or to be attached to said sign or placard. (This sign or placard to be used only where cold-storage eggs are offered or exposed for sale.)

The marking required by section 1 of chapter 538 of the Acts of 1913, as amended by chapter 55 of the General Acts of 1915, to be placed upon the container in which cold-storage eggs sold at retail are delivered to the customer, shall consist of the words "Cold-storage eggs," printed or stamped in letters not less than 1 inch in height, or, if in letters of uncondensed gothic type, not less than one-half inch in height, in black, purple, or red ink, no other lettering to appear in connection with the words "Cold-storage eggs."

#### **Eggs—Sale of, After Cold Storage. (Chap. 55, Act Mar. 12, 1915.)**

SECTION 1. Section 1 of chapter 538 of the acts of the year 1913,<sup>3</sup> as amended by chapter 545 of the acts of the year 1914,<sup>4</sup> is hereby further amended by striking out the words "and shall be done in such manner as is approved by the State board of health," at the end of the section, and inserting in place thereof the words "except that the container in which eggs sold at retail are delivered to the customer may be marked in letters less than 1 inch in height if uncondensed gothic type is used, but such letters shall in no case be less than one-half inch in height. All marking required by the provisions of this act shall be done in such manner as shall be approved by the commissioner of health," so as to read as follows:

"SECTION 1. Whenever eggs that have been in cold storage are sold at wholesale or retail, or offered or exposed for sale, the basket, box, or other container in which the eggs are placed shall be marked plainly and conspicuously with the words 'cold-storage eggs,' or there shall be attached to such container a placard or sign having on it the said words. If eggs that have been in cold storage are sold at retail or offered or exposed for sale without a container, or placed upon a counter or elsewhere, a sign or placard, having the words 'cold-storage eggs' plainly and conspicuously

<sup>1</sup> Reprint No. 264 from the Public Health Reports, p. 225.

<sup>2</sup> See this page.

<sup>3</sup> Reprint No. 264 from the Public Health Reports, p. 225.

<sup>4</sup> Reprint No. 279 from the Public Health Reports, p. 86.

ascertain the actual or threatened presence of the infection of Asiatic cholera, small-pox, diphtheria, scarlet fever, plague, typhoid fever or other dangerous, infectious, or contagious disease; and any duly authorized agent or inspector of said board may enter any building, vessel, railway car or other public vehicle, to inspect the same and to remove therefrom any person affected by said diseases; and for this purpose he may require the person in charge of any vessel or public vehicle other than a railway car to stop such vessel or vehicle at any place, and he may require the conductor of any railway train to stop his train at any station or upon any side track and there detain it for a reasonable time: *Provided*, That no conductor shall be required to stop his train when telegraphic communication with the dispatcher's office can not be obtained or at such times or under such circumstances as may endanger the safety of the train and passengers: *And provided further*, That any such agent or inspector may cause any car which he may think may be infected with any of said diseases to be sidetracked at any suitable place and there be cleansed, fumigated and disinfected. And the said board of health may from time to time, make, alter, modify, or revoke rules and regulations for guarding against the introduction of any infectious or contagious diseases into the State, including rabies, or hydrophobia of animals and men; for the control and suppression thereof if within the State; for the quarantine and disinfection of persons, localities and things infected or suspected of being infected by such diseases; for guarding against the transmission of infectious and contagious diseases through the medium of common towels, common drinking cups and other articles which may carry infection from person to person; for the sanitation of railway service and that of other common carriers, for the transportation of dead bodies; for the speedy and private interment of the bodies of persons who have died from said diseases; and, in emergency, for providing those sick with said diseases with necessary medical aid and with temporary hospitals for their accommodation and for the accommodation of their nurses and attendants. And the said board may declare any and all of its rules and regulations made in accordance with the provisions of this section to be in force within the whole State, or within any specified part thereof, and to apply to any person or persons, family, camp, building, vessel, railway car or public vehicle of any kind."

**Local Boards of Health—Duties of. (Chap. 338, Act Apr. 2, 1915.)**

SEC 4. Paragraph three of section 30 of chapter 18 of the Revised Statutes is hereby amended by striking out all of said paragraph following the word "diseases" in line 16 of said paragraph and inserting in place thereof the words "occurring within the limit of its jurisdiction and shall report to said board every case of such infectious or contagious diseases as the rules and regulations of said board shall require. Those diseases which the rules and regulations of the State board of health may require to be reported shall be known, under the terms of this act, as notifiable diseases. Diseases which the State board of health may promulgate as those which shall be quarantined or isolated shall be known as quarantinable diseases," so that said section as amended shall read as follows:

"3. Guard against the introduction of contagious and infectious diseases, by the exercise of proper and vigilant medical inspection and control of all persons and things coming within the limits of its jurisdiction from infected places, or which for any cause, are liable to communicate contagion; give public notice of infected places, by displaying red flags or by posting placards on the entrances of the premises; require the isolation of all persons and things that are infected with, or have been exposed to, contagious or infectious diseases, and provide suitable places for the reception of the same; and furnish medical treatment and care for persons sick with such diseases who can not otherwise be provided for; prohibit and prevent all intercourse and communication with, or use of, infected premises, places and things, and require,

and if necessary, provide the means for the thorough cleansing and disinfection of the same before general intercourse therewith, or use thereof, shall be allowed. And it shall report to the State board of health promptly, facts which relate to infectious and epidemic diseases occurring within the limit of its jurisdiction and shall report to said board every case of such infectious or contagious diseases as the rules and regulations of said board shall require. Those diseases which the rules and regulations of the State board of health may require to be reported shall be known, under the terms of this act, as notifiable diseases. Diseases which the State board of health may promulgate as those which shall be quarantined or isolated shall be known as quarantinable diseases."

**State Laboratory of Hygiene—Appropriation for. (Chap. 274, Act Apr. 1, 1915.)**

Section 23 of chapter 18 of the Revised Statutes, as amended by chapter 26 of the public laws of 1907 and by chapter 40 of the public laws of 1913, is hereby further amended by striking out the words "five thousand" in the first line of said section and inserting in place thereof the words "six thousand," so that said section as amended shall read as follows:

"Section 23. The sum of \$6,500 a year is hereby appropriated to pay for the services of the director, and of such assistance as may be necessary, to procure the necessary supplies, and to meet the other necessary expenses of said laboratory, which sum shall be expended under the supervision of the State board of health."

**School Physicians—Appointment and Duties—Medical Inspection of Pupils. (Chap. 73, Act Mar. 16, 1909, as Amended by Chap. 174, Act Mar. 24, 1915.)**

SECTION 1. The school committee of every city and town shall appoint one or more school physicians and shall assign one to the medical inspection of not over 1,000 pupils of the public schools within its city or town, and shall provide them with all proper facilities for the performance of their duties as prescribed in this act: *Provided, however,* The said committee has been so authorized by vote of town at regular town meeting or at a special town meeting called for that purpose.

SEC. 2. Every school physician shall make a prompt examination and diagnosis of all children referred to him as hereinafter provided, and such further examination of teachers, janitors, and school buildings as in his opinion the protection of the health of the pupils may require.

SEC. 3. The pupils so examined by school physicians when treatment is necessary shall not be referred to the school physicians for such treatment, except the school physician be the regular family physician of such pupil, but shall be referred to the regular family physician of such pupil through the parents or guardian.

SEC. 4. The school committee shall cause to be referred to a school physician for examination and diagnosis every child returning to a school without a certificate from the board of health or family physician after absence on account of illness or whenever in the judgment of the teacher the circumstances of the absence were such as to require such a certificate; and every child in the schools under its jurisdiction who shows signs of being in ill health or of suffering from infectious or contagious diseases, unless he is at once excluded from school by the teacher; except that in case of schools in remote and isolated situations the school committee may make such other arrangements as may best carry out the purposes of this act.

SEC. 5. The school committee shall cause notice of disease or defects, if any, from which any child is found to be suffering to be sent home to his parents

or guardian. Whenever a child shows symptoms of smallpox, scarlet fever, measles, chicken-pox, tuberculosis, diphtheria or influenza, tonsillitis, whooping cough, mumps, scabies, or trachoma he shall be sent home immediately or as soon as safe and proper conveyance can be found, and the board of health and superintendent of schools shall at once be notified.

Sec. 6. The school committee of every city or town shall cause every child in the public schools to be separately and carefully tested and examined at least once in every school year to ascertain whether he is suffering from defective sight or hearing or from any other disability or defect tending to prevent his receiving the full benefit of his school work, or requiring a modification of the school work in order to prevent injury to the child or to secure the best educational results. Tests of sight and hearing shall be made by the teachers or by the school physicians. The committee shall cause notice of any defect or disability requiring treatment to be sent to the parent or guardian of the child, and shall require a physical record of each child to be kept in such form as the State superintendent of public schools shall prescribe after consultation with the State board of health.

Sec. 7. The State superintendent of public schools shall prescribe, after consultation with the State board of health, the directions for tests of sight and hearing, and shall prescribe and furnish to the school committee suitable rules of instruction, test cards, blanks, record books, and other useful appliances for carrying out the purposes of this act. The State superintendent of public schools may expend during the year 1909 a sum not greater than \$500 for the purpose of supplying the material required for this act.

Sec. 8. Expenses which a city or town may incur by virtue of the authority herein vested in the school committee shall not exceed the amount appropriated for that purpose in cities by the city council and in towns by a town meeting. The appropriation shall precede any expenditure of any indebtedness which may be incurred under this act and the sum appropriated shall be deemed sufficient appropriation in the municipality where it is made. Such appropriation need not specify to what section of the act it shall apply and may be voted as a total appropriation to be applied in carrying out the purposes of this act.

Sec. 9. The provisions of this act shall apply only to cities and towns having a population of less than 40,000 inhabitants.

**Common Drinking Cups and Common Towels—Prohibited in Public Places. (Reg. Bd. of H., Mar. 30, 1915.)**

SECTION 1. The use of a common drinking cup or a common towel on any railroad train or other common carrier or in the stations, waiting rooms, or lavatories connected therewith, or belonging thereto, or in any public, parochial, or private school, or in any State educational institution, or in any hotel or restaurant, or in any theater or other public place of amusement, is prohibited.

Sec. 2. No person, firm, corporation, board, or trustee in control of or in charge of any common carrier or building, room, institution, or place mentioned in section 1, shall place, furnish, or keep in place, any drinking cup or towel for public or common use; and no such person, firm, corporation, board, or trustee shall permit the use of a common drinking cup or a common towel on or in any common carrier, or building, room, institution, or place mentioned in section 1.

Sec. 3. The term common drinking cup as used herein is defined to be any vessel or utensil used for conveying water to the mouth, and available for common use by the public or the passengers, or guests, or inmate of the places mentioned in section 1. The term common towel as used herein shall be construed to mean roller towel or a towel intended or available for common use by more than one person without being laundered after such use.

**Habit-Forming Drugs—Dispensing of, by Physicians, Surgeons, Dentists, and Veterinarians. (Chap. 142, Act Mar. 18, 1915.)**

Section 7<sup>1</sup> of chapter 211 of the public laws of 1913 is hereby amended by striking out after the word "indicated" in the ninth line thereof, the following words, "and the aforesaid practitioners shall keep a record in a book kept solely for that purpose of the name and address of the patient treated, the name of the disease indicated and the quantity of the drug dispensed, furnished, or given away on each separate occasion, which record shall be made within 48 hours of the dispensing, furnishing or giving away, and shall be preserved for at least 2 years, and shall at all times be open to inspection by members of the State board of health, members of the State board of pharmacy or their authorized agents, by State officials or their authorized agents or by the police authorities or officers of cities and towns. But no practitioner of medicine, surgery, or dentistry shall dispense or prescribe, except for his own professional use, more than 4 grains of morphine, cocaine, heroin, opium, or any other hypnotic or narcotic drug, their salts, compounds, or any preparation of the same, unless it be for a chronic, incurable, or malignant disease," so that said section as amended shall read as follows:

SEC. 7. No practitioner of medicine, surgery, dentistry, or veterinary medicine shall dispense, furnish, or give away opium, morphine, heroin, codeine, cannabis indica, cannabis sativa, or any salt compound of said substances or any preparation containing any of the said substances or their salts or compounds, or cocaine or its salts or alpha or beta eucaine or their salts or any synthetic substitute for them, or any preparation containing the same or any salt or compound thereof except in good faith as medicines for diseases indicated.

**Births, Deaths, and Marriages—Town Records of, Previous to 1892—Preservation of. (Chap. 117, Act Mar. 17, 1915.)**

Section 1 of chapter 203 of the public laws of 1903 is hereby amended by striking out the words "five hundred" in the 16th line of said section, and inserting in place thereof the words "one thousand," so that said section, as amended, shall read as follows:

SECTION 1. Whenever the record of the births, marriages, and deaths, previous to the year 1892, beginning at the very earliest date, of any town in this State, shall be collected from church records, church registers, records of clergymen, family bibles, public records, and other available sources, and shall be printed and verified in the manner required by the standing committee of the Maine Historical Society, under the editorship of some person selected by said committee, whose services shall be rendered free and without any compensation, and the work shall appear to them to have been prepared with accuracy, the secretary of state shall purchase 500 copies of such record at a price not exceeding 1 cent per page: *Provided*, That the written copies of the town records shall become the property of the State, and shall be deposited in the office of the State registrar of vital statistics: *And provided further*, That not more than \$1,000 shall be expended by authority of this act in any one year.

**Deaths—Transportation of Bodies. (Reg. Bd. of H., July 28, 1915.)**

Under the authority conferred by section 8 of chapter 18 of the revised statutes as amended, the State board of health hereby makes the following rules and regulations, which shall remain in effect until altered, modified, or revoked by vote of said board:

RULE 1. A copy of the original death certificate, signed by the attending physician, a permit from the town or city clerk or local registrar, and a transit label signed by the shipping funeral director and the initial baggage agent, printed on strong paper, supplied by the State board of health, shall be required for the transportation by

<sup>1</sup>Reprint No. 264 from the Public Health Reports, p. 219.

common carriers of the bodies of persons who have died in this State. The death certificate shall contain such information, if obtainable, as is required in the form of death certificate which is furnished by the department of vital statistics.

The permit of the town or city clerk shall authorize the transportation of the body of the person described in the physician's certificate. The shipping funeral director shall state on the shipping label how the body is prepared, and the local baggage agent shall state thereon the route and the name and address of the escort.

The physician's permit and that of the town or city clerk shall be given to the escort, to be delivered with the body at destination. The shipping label shall be securely attached to the outside case. If the body is sent by express, the physician's certificate and the permit shall be attached to the express way bill and shall be delivered with the body at the destination, and the shipping label shall be attached to the outside case.

If burial is made in this State, the sexton, undertaker, or other person who has charge of the burial shall, after he has presented the conjoined certificate and permit to the town or city clerk for a burial permit, forward them to the secretary of the State board of health within 10 days after he has received them.

**RULE 2.** The transportation of bodies dead of smallpox, plague, Asiatic cholera, yellow fever, typhus fever, diphtheria (membranous croup or diphtheritic sore throat), scarlet fever (scarlet rash or scarletina), erysipelas, and anthrax shall be permitted only under the following conditions: The body shall be thoroughly embalmed with an approved disinfectant fluid, all orifices shall be closed with absorbent cotton, the body shall be washed with the disinfectant fluid, enveloped in a sheet saturated with the same, and placed at once in the coffin or casket, which shall be immediately closed, and the coffin or casket, or the outside case containing the same, shall be metal or metal lined, and hermetically and permanently sealed.

**RULE 3.** The transportation of bodies dead of any diseases other than those mentioned in rule 2 shall be permitted under the following conditions:

(a) When the destination can be reached within 24 hours after death the coffin or casket shall be inclosed in a strong outside box made of good sound lumber, not less than seven-eighths of an inch thick, all joints must be tongued and grooved, top and bottom, put on with cleats or cross pieces, all put securely together, and be tightly closed with white lead, asphalt varnish, or paraffin paint, and a rubber gasket placed on the upper edge between the lid and box: *Provided, however,* That caskets containing embalmed bodies may be shipped to points in this State in tight ordinary casket boxes: *And provided further,* That bodies addressed to the anatomical board of this State may be received for shipment when prepared in such manner as the State board of health may direct.

(b) When the destination can not be reached within 24 hours after death the body shall be thoroughly embalmed and the coffin or casket placed in a strong, well-made outside shipping case.

**RULE 4.** No disinterred body, dead from any disease or cause, shall be transported by common carrier unless approved by the local board of health having jurisdiction at the place of disinterment, and a transit permit and transit label shall be required as provided in rule 1. The disinterment and transportation of bodies dead of diseases mentioned in rule 2 shall not be allowed except upon special permission of the health authorities at both the place of disinterment and the point of destination. All disinterred remains for transportation shall be incased in metal caskets or metal-lined boxes and hermetically sealed: *Provided,* That bodies in a receiving vault when prepared by licensed embalmers shall not be regarded as disinterred bodies until after the expiration of 30 days.

**RULE 5.** The outside case may be omitted in all instances when the body is transported in a hearse or a funeral director's wagon.

**RULE 6.** Every outside case shall have at least four handles, and when over 5 feet 6 inches in length shall have six handles.

**RULE 7.** An approved disinfectant fluid shall contain not less than 5 per cent of formaldehyde gas. The term "embalming," as employed in these rules, shall require the injection by a licensed embalmer of not less than 10 per cent of the body weight for bodies of persons dead of diseases under rule 2, injected arterially in addition to cavity injections; and not less than 6 per cent of the body weight injected arterially in all other cases in addition to cavity injection, and 10 hours shall elapse between the time of embalming and the shipment of the body.

**RULE 8.** The attached form of death certificate, town or city clerk permit, and label as described herein, with these rules printed thereon, shall be used in this State for the shipment of bodies as herein provided.

**Burial—Vaults and Mausoleums—Construction and Maintenance. (Chap. 94, Act Mar. 15, 1915.)**

**SECTION 1.** Before any person, firm, or corporation shall build, construct, or erect any mausoleum, vault, or other burial structure, entirely above ground or partly above and partly by excavation, with the intention and purpose that when so built, constructed, and erected, the same may contain 20 or more deceased human bodies for permanent interment, the person, firm, or corporation shall present all plans for such construction to the State board of health of the State of Maine, and shall obtain the written approval of said board of such plans before proceeding with the construction and erection of said mausoleum, vault, or other burial structure.

**SEC. 2.** All crypts or catacombs placed in a mausoleum, vault, or other burial structure, as described in section 1 of this act, shall be so constructed that all parts thereof may be readily examined by the State board of health or any other health officer, and such crypts or catacombs, when used for the permanent interment of a deceased body, or bodies, shall be so hermetically sealed that no offensive odor or effluvia may escape therefrom.

**SEC. 3.** Should any person, firm, or corporation, build, construct, or erect a mausoleum, vault, or other burial structure, as specified in section 1 of this act, before obtaining the approval of the State board of health, as required in section 1 of this act, or should any person, firm, or corporation, after building or constructing said mausoleum, vault, or other burial structure, in accordance with the requirements of this act, fail to hermetically seal all crypts or catacombs therein after a dead body or bodies have been placed in said crypts or catacombs, according to the requirements of this act, the said person, firm, or corporation shall be fined not less than \$100 nor more than \$500 for each offense, and the court may order the person, firm, or corporation by whose authority said interment or interments were made, in addition to said fine, within a reasonable time to hermetically seal said crypts or catacombs containing said deceased body or bodies, or in the discretion of the court to remove the deceased body or bodies and bury it or them in some suitable cemetery, or the court may order the hermetical sealing of said crypt, or catacomb, to be done under the direction of the board of health in the municipality where said mausoleum, vault, or other burial structure is erected, and that the said person, firm, or corporation shall pay all expenses attending the said work, or the removal of said body or bodies, and the burial of the same in some cemetery, provided the said body or bodies can not be suitably and properly hermetically sealed in said crypts or catacombs.

**SEC. 4.** All fines or penalties provided by the terms of this act may be recovered or enforced by indictment, and the necessary processes for causing the crypts and catacombs to be sealed or the bodies to be removed and buried, may be issued under the direction of any justice of the supreme judicial court or the superior courts in term or vacation time.

SEC. 5. The supreme judicial courts and the superior courts shall have original and concurrent jurisdiction in all cases under the provisions hereof: *Provided*, That the judges of municipal and police courts and trial justices may cause the persons brought before them on complaint under the provisions of this act to recognize with sufficient sureties to appear before the supreme judicial courts or superior courts and, in default thereof, shall commit them.

**Undertakers and Embalmers—Licenses—Renewal of. (Chap. 310, Act Apr. 1, 1915.)**

Section 9 of chapter 181 of the public laws of 1911 is hereby amended by striking out the whole of said section and substituting therefore the following:

"Section 9. All licenses which have been, or may be issued to undertakers by the State board of embalming examiners, shall expire on the 31st day of December annually: *Provided*, That the licenses hereafter issued shall be valid and shall not expire the last day of the following year. Any person holding an embalmer's license under the provisions of this act may have the same renewed by making and filing with the secretary of said board of examiners an application therefor within 30 days preceding the expiration of his or her license, upon blanks prescribed by said board and upon payment of \$1 renewal fee: *Provided, however*, That any person neglecting or failing to have his or her license renewed as above, may have the same renewed by making application therefor within 30 days after date of expiration, and upon payment of \$2 revival and renewal fees."



## **MASSACHUSETTS.**

### **Communicable Diseases—Hospitalization. (Chap. 12, Act Feb. 16, 1915.)**

**SECTION 1.** Section 46 of chapter 75 of the Revised Laws, as amended by section 2 of chapter 206 of the acts of the year 1902, and by section 2 of chapter 365 of the acts of the year 1906, is hereby further amended by striking out the said section and inserting in place thereof the following:

"**SECTION 46.** A magistrate authorized to issue warrants in criminal cases may issue a warrant directed to the sheriff of the county or his deputy, or to any constable or police officer, requiring him, under the direction of the board of health, to remove any person who is infected with a contagious disease, or to take up and impress convenient houses, lodging, nurses, attendants, and other necessities. The removal authorized by this section may be made to a hospital in any city or town established for the reception of persons having smallpox or other disease dangerous to the public health: *Provided*, That the assent of the board of health of the city or town to which such removal is to be made shall first have been obtained."

### **Communicable Diseases—Data Relative to, to be Kept by Local Boards of Health. (Chap. 52, Act Mar. 12, 1915.)**

**SECTION 1.** Section 51 of chapter 75 of the Revised Laws is hereby amended by striking out the words "in blank books to be provided by the secretary of the commonwealth," in the first and second lines, and by inserting after the word "report," in the sixth line, the words "or other data required by the State department of health. Such record shall be kept in such manner or upon such forms as shall be prescribed by the said department," so as to read as follows:

"**SECTION 51.** The board of health shall keep a record of all reports received pursuant to the two preceding sections, which shall contain the name and location of all persons who are sick, their disease, the name of the person who reports the case, and the date of such report or other data required by the State department of health. Such record shall be kept in such manner or upon such forms as shall be prescribed by the said department. Said board shall give immediate information to the school committee of all contagious diseases so reported to them."

### **Tuberculosis and Other Communicable Diseases—Infirmary for Care and Treatment of—Construction, Equipment, and Maintenance of, by Barnstable County. (Chap. 153, Act Apr. 10, 1915.)**

**SECTION 1.** The county commissioners of the county of Barnstable are hereby, authorized and directed to construct, equip and maintain an adequate infirmary for the care and treatment of persons ill with tuberculosis and other contagious diseases. The infirmary shall be owned by the county. For the purpose of providing for its construction, equipment and maintenance, the county commissioners are hereby authorized to issue from time to time bonds or notes of the county to an amount not exceeding \$50,000. Each authorized issue of bonds or notes shall constitute a separate loan. Such bonds or notes shall bear on their face the words "County of Barnstable Infirmary loan, act of 1915;" shall be payable by such annual payments, beginning not more than one year after the date thereof, as will extinguish each loan within 10 years from its date; and the amount of such annual payment of any loan in any year

## MICHIGAN.

### Communicable Diseases—Notification of Cases. (Act No. 192, May 11, 1915.)

SECTION 1. Section 44 of chapter 35 of the Revised Statutes of 1846, relative to the preservation of the public health, quarantine, nuisances, and offensive trades, as amended by act 158 of the public acts of 1895, the same being section 4453 of the compiled laws of 1897, is hereby amended to read as follows:

"Sec. 44. Whenever any physician shall know that any person whom he is called to visit, or who is brought to him for examination, is infected with smallpox, cholera, diphtheria, scarlet fever, or any other disease dangerous to the public health, he shall immediately give notice thereof to the health officer of the township, city, or village in which the sick person may be; and to the householder, hotel keeper, keeper of a boarding house, or tenant, within whose house or rooms the sick person may be. The notice to the officer of the board of health shall state the name of the disease, the name, age, and sex of the person sick, also the name of the physician giving the notice; and shall, by street and number, or otherwise, sufficiently designate the house or room in which such person sick may be. And every physician and person acting as a physician, who shall refuse or neglect immediately to give such notice, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not less than \$10 nor more than \$50, or by imprisonment in the county jail not exceeding 30 days in default of the payment of such fine: *Provided*, That this penalty shall not be enforced against a physician, if another physician in attendance has given to the health officer or other officer hereinbefore mentioned an immediate notice of said sick person, and the true name of the disease in accordance with the requirement of this section."

### Communicable Diseases—Notification of Cases—Quarantine—Placarding—School Attendance. (Reg. Bd. of H., Sept. 1, 1915.)

I. *Actinomycolosis (lumpy jaw)*.—An infectious disease common to cattle and other domestic animals and often transmitted to man.

1. Cases must be reported.

2. Instruct patient to cover all open ulcers, burn cloths and other articles contaminated with discharges from affected part.

3. Avoid intimate contact with person suffering from disease.

4. Disinfection of room and all exposed articles after death or recovery of patient.

II. *Anthrax (wool sorters' disease; malignant pustule)*.—A dangerous and fatal infectious disease affecting cattle and man.

1. Cases must be reported.

2. Destroy all contaminated cloths or other articles by burning.

3. Disinfection of room and all articles exposed, after death of patient.

III. *Chicken-pox*.—1. Cases must be reported.

2. Conspicuous placard on the house.

3. Isolation of patient until desquamation is complete. Keep patient from school 10 days after desquamation is complete. Other children in the household who have had chicken-pox may continue in school.

4. Fumigation not required.

IV. *Cholera (Asiatic)*.—1. Cases must be reported.

2. Isolation of patient.

3. Most rigid disinfection of all discharges.
4. Quarantine must be strictly enforced.
5. Terminal disinfection required if foregoing instruction relative to discharges is not complied with.

V. *Diphtheria and membranous croup*.—1. Cases must be reported.

2. Conspicuous placard on the house.
3. Quarantine minimum 21 days, or until two negative cultures are secured on successive days, after the fourteenth day. When possible to do so, consult State laboratory for final examination. Head of family may be disinfected, immunized, and released. Children not ill may be disinfected, immunized, and kept in quarantine elsewhere 10 days, after which they may attend school, if throat swabs are negative.
4. Complete disinfection of rooms and clothing after death or recovery of patient.

VI. *Dysentery (amebic and bacillary)*.—1. Cases must be reported.

2. Isolation of patient.
3. Disinfection of all discharges from bowels; destruction, by burning, of all contaminated articles of no special value; complete disinfection of articles that can not be burned.
4. Terminal disinfection of room and contents after death or recovery of patient.

VII. *Epidemic or streptococcic (septic) sore throat*.—1. Cases must be reported.

2. Isolation of patient.
3. Disinfection of all discharges from mouth, nose, and throat.
4. Terminal disinfection of room and contents after death or recovery of patient.

VIII. *Erysipelas*.—1. Cases must be reported.

2. Isolation of patient.
3. Disinfection of all materials coming into contact with erysipelatous areas required.

IX. *Impetigo contagiosa*.—1. Cases must be reported.

2. Isolation of patient. (The disease is contagious and spreads by scratching, as well as by common towels and other articles.)

3. Children having the disease must not attend school until all sores are healed and skin is smooth.

4. Disinfection of all contaminated articles.

X. *Leprosy*.—1. Cases must be reported.

2. Isolation of patient and enforcement of personal hygiene, care of the discharges, and sanitary surroundings.

3. Leprosy is communicable by long and intimate contact with a diseased person. Lepers should be humanely treated.

XI. *Measles*.—1. Cases must be reported.

2. Conspicuous placard on the house.
3. Isolation of patient two weeks. Exclude from school children in the household who have not had measles. No restriction on heads of families. Period of invasion and eruption most dangerous, hence necessity of early recognition and isolation.

4. Fumigation not required.

XII. *Mumps*.—1. Cases must be reported. Is an epidemic affection and is transmitted almost exclusively by direct contact from person to person, but cases have been traced to indirect infection through third persons or objects, hence the person afflicted should be isolated and kept out of school until entirely free from the disease or its complications or sequela. Contagious before symptoms appear.

2. The duration of the contagiousness is from two to six weeks, but, by fumigation of clothing, by disinfecting baths, and antiseptic gargles and mouth washes, return to school might be permitted sooner, upon the advice of the attending physician.

XIII. *Paratyphoid fever*.—1. Cases must be reported.

2. Disinfect all discharges and use same preventative measures as indicated for typhoid fever.

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XV. *Plague (bubonic; pneumonic; septicemic)*.—1. All forms must be promptly reported.

2. Patient must be completely isolated in a properly screened room.

3. Fabrics and other objects which become contaminated with the discharges must be burned or thoroughly disinfected.

4. The pneumonic type is highly "contagious" in the ordinary sense of the term, and the sputum is loaded with the plague bacilli. Physicians and others in attendance should be immunized, and individual protection against droplet infection by wearing a mask should be exercised. The bubonic type is characterized by appearance of "buboes" in the groins, arm pits, or neck. This and the septicemic form are not so "contagious" and the rules under typhoid fever will apply to them. The infection is carried long distances by ships from over the seas, through the medium of rats infected with the disease, hence a war on rats is necessary. Complete disinfection of room and contents, with sulphur dioxide, which not only kills the "bacillus pestis," but destroys all insects, is required after death or recovery of patient.

XVI. *Pneumonia (croupous or lobar)*.—1. Cases must be reported.

2. Conspicuous placard on the house.

3. Isolation of patients and disinfection of the sputum and excretions from nose and throat absolutely necessary. Every case is a focus for the spread of infection. (See pamphlet.)

XVII. *Poliomyelitis—acute anterior (infantile paralysis)*.—1. Cases must be reported.

2. Conspicuous placard on house.

3. Quarantine of household four weeks, minimum. Head of family and other adults may be released from quarantine after antiseptic bath and in disinfected clothing.

4. Complete disinfection of rooms and clothing after death or recovery of patient.

XVIII. *Rabies (hydrophobia)*.—1. Cases must be reported.

2. Isolation of patient and proper restraint.

3. Patient should be given Pasteur treatment as soon as possible after diagnosis has been made or if rabies is suspected.

XIX. *Rubella (German measles)*.—1. Cases must be reported.

2. Conspicuous placard on the house. Persons having this disease must be isolated until fully recovered. Children who have not had the disease, but are living in the same family or in the same house, if not exposed, may attend school. It has no relation to other measles or scarlet fever, and protects only against after attacks of the same infection.

XX. *Scarlet fever (scarlet rash; scarlatina)*.—1. Cases must be reported.

2. Conspicuous placard on the house.

3. Quarantine minimum 35 days or longer, until desquamation is complete. Head of family may be disinfected and released. Children not ill in the household may be disinfected and quarantined elsewhere for 10 days and then allowed to go to school. Patient may enter school and other public assemblies two weeks after release from quarantine.

4. Complete disinfection of rooms and clothing after death or recovery of patient. Milk from a dairy or farm where disease exists can not be sold.

XXI. *Smallpox*.—1. Cases must be reported.

2. Conspicuous placard on the house.

3. Absolute quarantine. Wage earners who have been successfully vaccinated may, upon revaccination, be disinfected and allowed to reside elsewhere, but should be under observation of health officer for 16 days. Other exposed persons, who have been successfully vaccinated, may be revaccinated, disinfected, and kept under observation 16 days. Exposed persons who have not been successfully vaccinated should be vaccinated and quarantined 16 days. Children from infected households

should be barred from school until two weeks after release from quarantine. Small-pox may be acquired any time during progress of the disease.

4. Complete disinfection of rooms and clothing after death or recovery of the patient required.

XXII. *Spinal meningitis (acute cerebro)*.—1. Cases must be reported.

2. Conspicuous placard on the house.

3. Isolation of patient and attendant.

4. Complete disinfection of rooms and clothing after death or recovery of patient required.

XXIII. *Trachoma (contagious granular conjunctivitis; granular lids)*.—1. All cases must be reported.

2. Patient should use individual towels and washbasins. Discharges from eyes should be collected on cloths or paper napkins and burned. The infection is acquired by using roller towels, handkerchiefs, and other articles contaminated with infectious matter.

3. Intimate contact with others should be prohibited; personal hygiene should be insisted upon.

XXIV. *Tuberculosis*.—1. Cases must be reported.

2. Careful instructions regarding disinfection of sputum must be given.

3. Complete disinfection of room and clothing after death, recovery, or removal of patient required. (See tuberculosis law.)

XXV. *Typhoid fever*.—1. Cases must be reported.

2. Conspicuous placard on the house.

3. Isolation of patient. No restriction on other members of family. Excreta from patient must be thoroughly disinfected. Marketing of dairy products is forbidden by law.

4. Complete disinfection of rooms and clothing, after death or recovery of patient, required.

XXVI. *Typhus fever*.—1. Cases must be reported.

2. Conspicuous placard on the house.

3. Inasmuch as this disease is spread by body lice, clothes should be removed, burned, or disinfected by immersing in a 1-500 bichloride of mercury solution, or by boiling.

4. Thorough disinfection of rooms and contents, room should be kept closed for from 12 to 24 hours, with the object of destroying the lice.

XXVII. *Venereal diseases*.—1. Cases must be reported, but report may be made by number or initials, rather than by patient's name.

XXVIII. *Whooping cough*.—1. Cases must be reported.

2. Conspicuous placard on the house.

3. Isolation of patient until after whooping stage. Exclude from school children in the household who have not had whooping cough.

4. Children should be permitted to go out every day, but must not come in contact with others who have not had the disease. If possible, an attendant should always accompany them. Fresh air, but not vigorous exercise, is necessary in the treatment of whooping cough.

**Pellagra—Notification of Cases—Control of.** (Reg. Bd. of H., Sept. 1, 1915.)

XIV. *Pellagra* ("rough skin," "corn-bread fever," "corn sickness").—1. Cases must be reported.

2. History of the patient's diet and former residence should be carefully investigated.

3. Patient should be under observance of a physician. Proper diet, sanitary and personal hygiene should be insisted upon.

4. In view of the fact that the communicability of this disease is questioned by good authority, quarantine or isolation will not be arbitrarily insisted upon.

**Vaccination Against Smallpox and Typhoid—Antitoxin—Municipal Boards of Health Authorized to Furnish Free. (Act No. 118, Apr. 29, 1915.)**

SECTION 1. Act number 146 of the Public Acts of 1879, entitled "An act to authorize boards of health of cities, villages, and townships to furnish vaccination to the inhabitants thereof," approved February 15, 1879, being compiler's section 4465 of the Compiled Laws of 1897, is hereby amended to read as follows:

"SECTION 1. That the board of health of each city, village, and township may at any time direct its health officer or health physician to offer vaccination or inoculation, with bovine vaccine virus, antitoxin, and antityphoid vaccine to every child and to all other persons, without cost to the person vaccinated or inoculated, but at the expense of such city, village, or township, as the case may be."

**Plague—Prevention of—Bounty on Rats. (Act No. 50, Apr. 14, 1915.)**

SECTION 1. Every person being an inhabitant of this State who shall kill any black, brown, gray, or Norway rats commonly known as the house rat, barn rat, or wharf rat in any organized township, village, or city in this State, shall be entitled to receive a bounty of 5 cents for each rat thus killed, to be allowed and paid in the manner hereinafter provided.

SEC. 2. Every person applying for such bounty shall take the heads of such rats, in lots of not less than five, to the clerk of the township, village, or city within which such rats shall have been killed, in a state of good preservation, and if satisfied with the correctness of such claim said township, village, or city clerk shall issue a certificate stating the amount of bounty to which such applicant is entitled and deliver the same to said applicant, and shall destroy the heads of such rats by burning.

SEC. 3. Such certificate may be presented by the claimant or his agent to the county clerk of the county in which such rats have been killed, who shall thereupon draw a warrant for the amount on the treasurer of said county, and said treasurer shall, upon presentation of said warrant, pay the same from the general or contingent fund of such county.

**Tuberculosis—Appropriation for Control of. (Act No. 238, May 17, 1915.)**

SECTION 1. There is hereby appropriated from the general fund of the State the sum of \$50,000 for the fiscal year ending June 30, 1916, and the further sum of \$50,000 for the fiscal year ending June 30, 1917, for the purpose of making a tuberculosis survey of the State, the employment of medical men and nurses and other experts to make said survey, the organization of antituberculosis societies throughout the State, and the prosecution of a campaign to lessen the ravages of the said disease.

SEC. 2. The State board of health shall have charge of the work outlined in section 1 hereof and of the expenditure of the said sums of money. The moneys herein appropriated shall be paid upon vouchers approved by the State board of auditors, in accordance with the accounting laws of the State, all vouchers to be countersigned by the secretary of the State board of health. The compensation of all persons employed under authority of this act shall be fixed by the State board of health.

SEC. 3. The auditor general shall incorporate in the State tax for the year 1915 the sum of \$50,000, and for the year 1916 the further sum of \$50,000, which, when collected, shall be used to reimburse the general fund of the State for the moneys herein appropriated.

**State Tuberculosis Sanatorium—Appropriation for. (Act No. 206, May 11, 1915.)**

SECTION 1. There is hereby appropriated for the current expenses for the State Tuberculosis Sanatorium for the fiscal year ending June 30, 1916, the sum of \$23,000, and for the fiscal year ending June 30, 1917, the sum of \$28,000.

**Sec. 2.** The further sum of \$43,125 is hereby appropriated for the fiscal year ending June 30, 1916, for purposes and by amounts as follows:

To build and equip infirmary wing for men, \$15,000; to remove and rebuild and equip present infirmary wing, \$1,500; to build and equip a cottage for children, \$15,000; one farm cottage and furnishings, \$3,500; for the purchase of dairy cows, \$1,000; for additional farm equipment, \$640; for office furnishings, \$185; for porch and furnishings, superintendent's cottage, \$1,000; to relay pipe and install adequate pumping outfit, \$4,000; screens for cottages, \$500; improvements and repairs, \$800; *Provided*, That if the amount designated in this section for any of the purposes stated be insufficient to complete the work or purchase, any surplus remaining after the completion of other work or purchase specified in this section, may, by obtaining the consent of the State Board of Corrections and Charities and the auditor general in writing, before any expense in excess of the specified appropriation is incurred, be used in the account or accounts where such deficiency seems unavoidable, the intent of this proviso being to make the entire \$43,125 available for the purposes stated herein, if in the judgment of the State board of corrections and charities and the auditor general it is deemed advisable to make the transfers for which provision is hereby made.

**Sec. 3.** The several sums appropriated by the provisions of this act shall be paid out of the general fund in the State treasury to the treasurer of the State Tuberculosis Sanatorium at such times and in such amounts as the general accounting laws of the State prescribe, and the disbursing officer shall render his account to the auditor general thereunder.

**Sec. 4.** The auditor general shall incorporate in the State tax for the year 1915 \$66,125, and for the year 1916 the sum of \$28,000, which amounts when collected shall be credited to the general fund to reimburse the same for the moneys hereby appropriated.

**State Tuberculosis Sanatorium—Deficiency Appropriation for. (Act No. 94, April 27, 1915.)**

**SECTION 1.** The sum of \$4,227.87 is hereby appropriated to the State Tuberculosis Sanatorium at Howell, to meet the deficiency in appropriation for current expenses for the fiscal year ending June 30, 1914, and the further sum of \$5,772.13 to said sanatorium to meet the deficiency in appropriation for the fiscal year ending June 30, 1915.

**Sec. 2.** The several sums appropriated by the provisions of this act shall be paid out of the general fund of the State treasury to the treasurer of the State Tuberculosis Sanatorium at such times and in such amounts as the general accounting laws of the State prescribe, and the disbursing officer shall render his accounts to the auditor general thereunder.

**Sec. 3.** The auditor general shall add to and incorporate in the State tax for the year 1915 the sum of \$10,000, which when collected, shall be credited to the general fund to reimburse the same for the moneys hereby appropriated.

**Secretary State Board of Health—Qualifications and Appointment. (Act No. 67, April 21, 1915.)**

**SECTION 1.** Section 4 of act number 81 of the public acts of 1873, entitled "An act to establish a State board of health, to provide for the appointment of a superintendent of vital statistics, and to assign certain duties to local boards of health," as amended by act No. 18 of the public acts of 1905, being section 4,400 of the compiled laws of 1897, is hereby amended to read as follows:

"**Sec. 4.** At the meeting of the legislature in the year 1905 and every six years thereafter, the governor upon the recommendation of the State board of health and with

the consent of the senate shall appoint a suitable and competent person who shall be a medical doctor of 10 years' practice, duly licensed as a medical practitioner in this State to be the seventh member of the board, which member shall be the secretary of the said board and its executive officer."

**Municipal Health Officers—Duties in Control of Communicable Diseases—Compensation. (Act No. 193, May 11, 1915.)**

SECTION 1. Sections 1 and 3 of act 137 of the public acts of 1883, entitled "An act to specify certain duties of health officers and to provide for compensation therefor in townships, cities, and villages where a health officer is not otherwise instructed by the local board of health," the same being sections 4460 and 4462 of the Compiled Laws of 1897, are hereby amended to read as follows:

"SECTION 1. That whenever the health officer of any township, city, or village in this State shall receive reliable notice or shall otherwise have good reason to believe that there is within the township, city, or village of which he is the health officer, a case of smallpox, diphtheria, scarlet fever, or other communicable disease dangerous to the public health, it shall be the duty of said health officer, unless he is or shall have been instructed by the board of health, of which he is an executive officer, to do otherwise, immediately to investigate the subject, and in behalf of the board of health, of which he is an executive officer, to order the prompt and thorough isolation of those sick or infected with such disease, so long as there is danger of their communicating the disease to other persons; to order the prompt vaccination or isolation of persons who have been exposed to smallpox; to see that no person suffers for lack of nurses or other necessities because of isolation for the public good; to give public notice of infected places by placard on the premises and otherwise if necessary; to promptly notify teachers or superintendents of schools concerning families in which are contagious diseases; to supervise funerals of persons dead from scarlet fever, diphtheria, smallpox, or other communicable disease which endangers the public health; to disinfect rooms, clothing, and premises, and all articles likely to be infected, before allowing their use by persons other than those in isolation; to keep the president of his own board of health and the secretary of the State board of health constantly informed respecting every outbreak of a disease dangerous to the public health, and of the facts so far as the same shall come to his knowledge, respecting sources of danger of any such diseased person or infected article being brought into or taken out of the township, city, or village of which he is the health officer.

"It shall be the duty of the health officer to comply with and enforce the rules and regulations and the health laws of the State of Michigan, to make a thorough and complete investigation of all nuisances, sources of sickness, public water supplies, and the water supplies of cities, boarding houses, schools, restaurants, and other public places; to inspect sewage and garbage disposal systems and to investigate schools, churches, jails, railroad stations, restaurants, theaters, and other places of amusement or entertainment as to their sanitary conditions, and in every possible way to guard and protect the health of the public and to do such work as may be necessary for the improvement of general sanitary and hygienic conditions of the community and to prevent the development of disease.

"SEC. 3. In the fulfillment of the requirements of this act the health officer, unless other provisions shall have been made in accordance with law, shall be entitled to receive from the township, city, or village of which he is health officer, compensation at the rate of not less than \$3 per day while actually engaged in the performance of his duties: *Provided*, That this section shall not be construed to conflict with any action by the local board of health under section 1693 of the Compiled Laws of 1871 as amended by act 202 of the Laws of 1881."



**Branch Bacteriological Laboratory—Establishment. (Act No. 164, May 7, 1915.)**

SECTION 1. The State board of health is hereby authorized and empowered to establish a branch bacteriological laboratory in the upper peninsula of the State, and to employ a competent bacteriologist to take charge of such laboratory, whose duties shall be such as are or may be defined by law or defined by the State board of health, and shall be performed in connection with the department of the State board of health. The same fees shall be paid for examinations and analysis made by this said bacteriologist as are required by act 109 of the public acts of 1907, as amended from time to time.

SEC. 2. The salary of the person appointed bacteriologist under this act shall be fixed by the State board of health, but shall not exceed the salary paid to the bacteriologist appointed under the provision of act 109 of the public acts of 1907. Such salary shall be paid in the same manner as other employees of the State board of health are paid, and all fees paid or received by the said bacteriologist shall be immediately forwarded to the secretary of the State board of health at Lansing to be by him covered into the State treasury to the general bacteriological fund of the State as provided in section 3 of act 109 of public acts of 1907.

SEC. 3. The State board of health is hereby authorized to purchase any and all such apparatus and appliances as shall be necessary to equip the branch laboratory authorized in this act: *Provided*, That the amount paid as salary to the bacteriologist, and expended for the apparatus and appliances in any one year shall not exceed the amount of the yearly appropriation provided for in this act. The State board of health shall select and designate a central point in the upper peninsula for the location of said laboratory. In all matters not herein otherwise expressly provided for, the said branch laboratory shall be governed by the provisions of act 109 of the public acts of 1907, as amended from time to time.

SEC. 4. For the purpose of carrying out the provisions of this act there is hereby appropriated out of any moneys in the State treasury not otherwise appropriated for the fiscal year ending June 30, 1916, the sum of \$6,000, and for the fiscal year ending June 30, 1917, and annually thereafter, the sum of \$4,000, which amounts shall be paid to the State board of health in the manner now provided by the general accounting laws of the State.

SEC. 5. The auditor general shall add to and incorporate in the State tax for the year 1915, the sum of \$6,000, and for the year 1916, and annually thereafter, the sum of \$4,000, which amounts, when collected, shall be credited to the general fund to reimburse the same for the money hereby appropriated.

**Foodstuffs—Sale of—Ingredients Deleterious to Health Prohibited—Labeling. (Act No. 226, May 13, 1915.)**

SECTION 1. Section 14 of act No. 193 of the public acts of 1895, entitled "An act to prohibit and prevent adulteration, fraud, and deception in the manufacture and sale of articles of food and drink," the same being section 5023 of the compiled laws of 1897, is hereby amended to read as follows:

"SEC. 14. No packer or dealer in preserved or canned fruits and vegetables, or other articles of food, shall sell or offer for sale such canned articles, unless such articles shall be entirely free from substances or ingredients deleterious to health, and unless such articles bear a mark, stamp, brand, or label bearing the name and address of the firm, person, or corporation that packs or distributes the same. All 'soaked or bleached goods,' or goods put up from products dried before canning, shall be plainly marked, branded, stamped, or labeled as such, with the words 'soaked or bleached goods,' in letters not less than two-line pica in size, showing the name of the article and the name and address of the packer or distributor."

**Milk By-Products to be Used for Feeding Animals—Required to be Pasteurized.**  
(Act No. 93, Apr. 27, 1915.)

SECTION 1. Every owner, operator, or manager of a cheese factory, creamery, skimming station, or other place where milk is received and the by-products distributed shall, before returning to or delivering to any person or persons any skim milk, whey, buttermilk, or other milk by-products to be used for feeding purposes for farm animals, cause such skim milk, whey, buttermilk, or other milk by-products to be thoroughly pasteurized by heating the same to 145° F. and holding at that temperature for not less than 30 minutes or to 185° without holding: *Provided*, That the provisions of this act shall not apply to cheese factories or creameries that pasteurize the milk or cream prior to manufacture.

SEC. 2. Whoever violates any of the provisions of this act shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine of not more than \$100, or imprisonment in the county jail for not exceeding 90 days, or both, in the discretion of the court.

**Poisonous Fly Paper—Must be so Prepared or Guarded as to be Inaccessible to Children When in Use.** (Act No. 269, May 17, 1915.)

SECTION 1. It shall be unlawful for any person, firm, or corporation to manufacture, compound, sell or offer for sale, or cause to be manufactured, compounded, sold or offered for sale, any fly paper or other form of fly killer which contains arsenic or other poison in sufficient quantity to be dangerous to the life or health of persons, unless same, when so manufactured, compounded, sold or offered for sale, shall be so prepared, constructed, or guarded that when in use said poisonous paper, substance, compound, or solution shall be inaccessible to children or other persons who might eat, drink, or swallow the same, or any portion thereof.

SEC. 2. Any person, firm, or agent of a corporation violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof for the first offense shall be fined not more than \$100 or imprisoned in the county jail for a period not to exceed two months, or both, and for each succeeding offense shall be fined not less than \$50 nor more than \$300, or imprisoned in the county jail for a period not less than two months nor more than nine months, or by both such fine and imprisonment.

**Habit-Forming Drugs—Sale and Dispensing.** (Act No. 117, Apr. 29, 1915.)

SECTION 1. It shall be unlawful for any person to sell or offer for sale, give away or offer to give away, dispense or distribute, or have in his possession for sale, giving away, dispensing or distribution any opium or coca leaves, or any compound, manufacture, preparation, or derivative, their salts, or any preparation of them, derivative or preparation thereof except as hereinafter provided.

SEC. 2. Nothing in this act shall apply to preparations and remedies which do not contain more than two grains of opium, or more than one-fourth of a grain of morphine, or more than one-eighth of a grain of heroin, or more than one grain of codeine, or any salt or derivative of any of them in one fluid ounce, or, if a solid or semisolid preparation, in one avoirdupois ounce, or to liniments, ointments, or other preparations which are prepared for external use only, except liniments, ointments, and other preparations which contain cocaine or any of its salts or alpha or beta eucaine or any of their salts, whether produced naturally or synthetically: *Provided*, That such remedies and preparations are sold, distributed, given away, dispensed, or possessed as medicines, and not for the purpose of evading the intention and provisions of this act. The provisions of this act shall not apply to decocainized coca leaves or preparations made therefrom, or to other preparations of coca leaves which do not contain cocaine.

SEC. 3. Any person holding an unexpired certificate as a registered pharmacist or registered druggist under the laws of this State may dispense any drug or drugs mentioned in section 1 of this act upon a written prescription or order of a physician, veterinarian or dentist duly qualified to practice under the laws of this State, which prescription shall be retained in the pharmacy or store in which the same was dispensed, by the proprietor thereof or his successor for a period of two years. Said prescription shall be filled but once and no copy of it shall be taken by or furnished to any person, except the same be required for the enforcement of this act.

SEC. 4. Any manufacturer or jobber of any or all of the drugs mentioned in section 1 of this act, any wholesale druggist, any pharmacist or druggist who may lawfully practice pharmacy and dispense drugs under the laws of the State may sell any item mentioned in section 1 of this act to any such manufacturer, jobber, wholesale druggist, pharmacist, druggist or to any lawfully practicing physician, veterinarian or dentist, but only upon a written order duly signed by such manufacturer, jobber, wholesale druggist, pharmacist, druggist, physician, veterinarian or dentist, which order shall show the item or items ordered and the date of delivery; and which order shall be kept on file in the laboratory, warehouse, pharmacy or store from which it was filled by the proprietor thereof or his successor for a period of not less than two years from the date of delivery.

SEC. 5. The prescriptions and orders required to be kept on file by this act shall be at all times open to the inspection of the prosecuting attorney and sheriff of the county, their deputies or assistants, or any constable, police officer, member of the State board of pharmacy, member of the State board of health, food and drugs commissioner or inspector and inspector of pharmacies, each of whom shall be permitted to make such notes therefrom and such copies thereof as he may deem wise.

SEC. 6. Nothing in this act contained shall be construed to forbid or regulate the dispensing or distribution of any of the drugs mentioned in section 1 of this act by or under the instructions of a lawfully practicing physician, dentist, or veterinarian in the course of his professional practice, and not for the purpose of evading the provisions of this act.

SEC. 7. Any person who shall make any false pretense for the purpose of purchasing or obtaining any of the drugs mentioned in section 1 of this act when it would be unlawful to sell, give away, or dispense the same to him, shall be liable to the penalties of this act, whether he succeed in purchasing or obtaining same or not.

SEC. 8. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine of not more than \$500 or imprisonment for not more than one year, or by both such fine and imprisonment in the discretion of the court.

SEC. 9. Act No. 30 of the public acts of 1909 and all acts amendatory thereof are hereby repealed.

**Drugs—Definition—Adulteration and Misbranding. (Act No. 152, May 7, 1915.)**

SECTION 1. Sections 2, 3, and 4 of act number 146 of the public acts of 1909, entitled "An act to prohibit and prevent adulteration, misbranding, fraud, and deception in the manufacture and sale of drugs and drug products in the State of Michigan and to provide for the enforcement thereof," are hereby amended to read as follows:

"SEC. 2. The term 'drug' as used in this act shall include all medicines and preparations recognized in the United States Pharmacopoeia or National Formulary for internal or external use, and any substance or mixture of substances or device intended to be used for the cure, mitigation, or prevention of disease of either man or other animals.

"SEC. 3. An article shall be deemed to be adulterated within the meaning of this act:

"First. If, when it is sold under or by a name recognized in the United States Pharmacopoeia or National Formulary, it differs from the standard of strength, quality, or purity as determined by the test laid down in the United States Pharmacopoeia or

National Formulary official at the time of investigation: *Provided*, That no drug defined in the United States Pharmacopœia or National Formulary shall be deemed to be adulterated under this provision if the standard of strength, quality, or purity be plainly stated upon the principal label of the bottle, box, or other container thereof, although the standard may differ from that determined by the test laid down in the United States Pharmacopœia or National Formulary;

"Second. If the strength or purity fall below the professed standard or quality under which it is sold.

"Sec. 4. An article shall be deemed to be misbranded within the meaning of the act:

"First. If it is an imitation of or offered for sale under the name of another article;

"Second. If the contents of the package as originally put up shall have been removed in whole or in part, and other contents shall have been placed in such package, or if the package fail to bear a statement on the label of the quantity or proportion of any alcohol, antipyrin, opium, morphine, codeine, heroin, cocaine, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate or acetanilide, or any derivative or preparation of any such substances, contained therein: *Provided*, That nothing herein shall be construed to apply to the dispensing of prescriptions written by regularly licensed practicing physicians, veterinary surgeons and dentists, and kept on file by the dispensing pharmacist, nor to such drugs as are recognized in the United States Pharmacopœia and National Formulary, and which are sold under the name by which they are so recognized;

"Third. If the package containing it or its label shall bear any statement, design, or device regarding the ingredients, or the substances contained therein, which statement, design or device shall be false or misleading in any particular, and to any drug or drug product which is falsely branded as to the State, Territory, or country in which it is manufactured or produced;

"Fourth. If its package or label shall bear or contain any statement, design, or device regarding the curative or therapeutic effect of such articles or any of the ingredients or substances contained therein, which is false and fraudulent."

#### **Births—Registration of. (Act No. 295, May 19, 1915.)**

SECTION 1. Sections 1, 2, 6, and 11 of act No. 330 of the public acts of 1905, entitled "An act to provide for the immediate registration of births, and the requirement of certificates of births," as last amended by acts Nos. 132 and 343 of the public acts of 1913, are hereby amended to read as follows:

SECTION 1. All births that occur in the State shall be immediately registered in the districts where they occur, which primary registration districts shall be the same as those provided for the registration of deaths by act No. 217 of the public acts of 1897, as amended by acts Nos. 20 and 209 of the public acts of 1901. Local registrars for deaths shall also be local registrars for births, and the secretary of state shall be the State registrar for births, as for deaths. Village and city registrars shall, immediately after qualification, designate deputy registrars to act in case of their illness or absence. It shall be the duty of the attending physician, or in the absence of an attending physician, or any other person who shall gratuitously or for hire, deliver a woman of child, or attend a woman in childbirth, to file a certificate of birth, properly and completely filled out with all the particulars required by this act, with the local registrar in the district in which the birth occurred, within five days after the date of birth. And if there be no physician or other person, as above defined, in attendance, then it shall be the duty of the father of the child, householder, manager, or superintendent of public or private institution, or other competent person having cognizance of the facts, to file said certificate of birth with the registrar within five days after birth.

SEC. 2. The certificate of birth shall contain the following items:

First. Place of birth, including State, county, township, village, or city. If in a city, the ward, street, and house number. If in a hospital or other institution, the name of the same to be given instead of the street and house number.

Second. Full name of child. If the child dies without a name before the certificate is filed, then the words "died unnamed" shall be entered. If the living child has not been named at the date of filing the certificate of birth, the space for "Full name of child" is to be left blank, to be filled out subsequently by a special return of given name of child as hereinafter provided.

Third. Sex of child.

Fourth. Whether a twin, triplet, or other plural birth. A separate certificate shall be required for each child in case of plural birth.

Fifth. Whether legitimate or illegitimate.

Sixth. Full name of father.

Seventh. Residence of father.

Eighth. Color or race of father.

Ninth. Birthplace of father.

Tenth. Age of father at last birthday, in years.

Eleventh. Occupation of father.

Twelfth. Maiden name of mother in full.

Thirteenth. Residence of mother.

Fourteenth. Color or race of mother.

Fifteenth. Birthplace of mother.

Sixteenth. Age of mother at last birthday, in years.

Seventeenth. Occupation of mother.

Eighteenth. Number of child of this mother.

Nineteenth. Number of children of this mother now living.

Twentieth. Certificate of attending physician or in the absence of an attending physician of any other person who shall either gratuitously or for hire deliver a woman of child or attend a woman in childbirth as to attendance at birth, including statement of year, month, day, and hour of birth, also certifying that he or she treated the eyes of the child with a prophylaxis approved by the State board of health within one hour after birth. This certificate shall be signed by attending physician, or in the absence of an attending physician by such other person above described, with date of signature and address. If there was no physician or such other person in attendance, then the father, householder, manager, or superintendent of a public or private institution, or other competent person, whose duty it shall become to file such certificate of birth as provided in section 1 of this act, shall draw a line through the words "I hereby certify that I attended the birth of the above child," and shall write in lieu thereof the words "No physician or other person in attendance," filling out the remainder of the certificate in regard to the year, month, day, and hour of birth, and signing the certificate as father, householder, owner of premises, manager, or superintendent of institution, as the case may be, with his address.

Twenty-first. Exact date of filing in office of local registrar, attested by his official signature, and registered number of birth, as hereinafter provided. The certificate shall be written legibly in permanent black ink, and no certificate shall be held to be complete and correct that does not supply all of the items of information specified above, if possible to obtain them, or satisfactorily account for the omission of any of said items.

SEC. 6. Every physician or, in the absence of an attending physician, every person who shall either gratuitously or for hire attend a woman in childbirth shall be entitled to be paid the sum of 50 cents for each certificate made and filed by such physician or other person as provided in section 2 of this act, and each local registrar shall be entitled to be paid the sum of 25 cents for each birth certificate properly and completely made out and registered with him and by him returned to the secretary of state on or before the 4th day of the following month, which sum shall include the making of the copy of the certificate to be filed and preserved in his office. Certificates lacking certain items, including the given or Christian name of the child,

as to children not named at the date of filing the report shall not be considered as defective, providing the missing information is obtained and returned to complete the certificate as elsewhere provided in this act: *Provided*, That the registrar for the city of Detroit and the registrar for the city of Grand Rapids shall receive no compensation for the duties required under this act. In case no births occurred during the calendar month, the local registrar shall be entitled to be paid the sum of 25 cents for each report to that effect promptly made in accordance with the requirements of this act. All amounts payable to such registrar under the provisions of this section shall be paid by the treasurer of the county in which the registration district is located, upon presentation of a proper warrant, issued by the secretary of state. The secretary of state shall issue warrants in favor of local registrars at the end of their official years, or for the year ending March 31, when continuing in office, specifying the number of certificates properly registered and promptly returned, and the number of prompt monthly reports made by each, to the effect that no births occurred, with the amount due at the rate fixed herein; and the secretary of state, as soon as possible after the 1st day of April, shall issue his warrant in favor of the physician or other person filing certificates in accordance with this act. Upon presentation of said warrant to the treasurer of the county in which the registration district is located the county treasurer shall pay the same in the same manner and out of the same fund that the fees of the local registrar are paid.

SEC. 11. Any physician or other person who either gratuitously or for hire shall be in attendance upon a case of confinement who shall neglect or refuse to file a proper certificate of birth with the local registrar within the time required by this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$5 nor more than \$50, or shall be imprisoned not to exceed 30 days, or shall suffer both such fine and imprisonment at the discretion of the court. If there was no physician or other person as above described in attendance upon any case of confinement, then the father, if he shall refuse or neglect to file a proper certificate of the birth with the local registrar within the time required by this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be liable to the same penalty as that incurred by the physician or such other person in attendance in case of the violation of the law, as above. And in the absence of the father, then the householder upon whose premises the birth occurred, the superintendent, or manager of the public or private institution shall individually be liable, in the order of their responsibility, and in case of conviction for failure or neglect to comply with the requirements of this act shall be subject to the penalty imposed upon the physician or other person in attendance in case of similar refusal or neglect.

Any registrar who shall neglect or fail to enforce the provisions of this act in his district, or shall neglect or refuse to perform any of the duties imposed upon him by this act or by the instructions and directions of the secretary of state, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than \$10 nor more than \$100 or be imprisoned not over 30 days, or shall suffer both such fine and imprisonment at the discretion of the court. Any person who shall willfully alter any certificate of birth, or the copy of any certificate of birth on file in the office of the local registrar, except to correct same in the manner provided in this act, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than \$10 nor more than \$100, or shall be imprisoned not exceeding 60 days, or shall suffer both such fine and imprisonment at the discretion of the court. And any other person or persons who shall violate any of the provisions of this act, or shall willfully neglect or refuse to perform any duties imposed upon them by this act, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than \$5 nor more than \$100, or shall be imprisoned not exceeding 30 days, or shall suffer both such fine and imprisonment at the discretion of the court.

**Death Registration—Enforcement of Act—Penalty. (Act No. 161, May 7, 1915.)**

SECTION 1. Section 6 of act No. 217 of the public acts of 1897, entitled "An act to provide for the registration of deaths in Michigan and requiring certificates of death," being compiler's section 4619 of the compiled laws of 1897, is hereby amended to read as follows:

SEC. 6. Any official failing or refusing to perform his duty under this act, or any undertaker violating any of its provisions, and any person who shall knowingly bury or assist in burying or otherwise disposing of any deceased person without there shall first have been obtained a burial permit in compliance with the provisions of this act, shall, upon conviction thereof, be deemed guilty of a misdemeanor, and shall be punished by a fine of not exceeding \$100, or be imprisoned in the county jail not exceeding 30 days, or suffer both fine and imprisonment at the discretion of the court. Local registrars shall see that the provisions of this act are enforced in their jurisdictions. The secretary of state shall be charged with the general execution of the law and shall have supervisory power over registrars to the end that this act shall be uniformly and effectually executed throughout the State. Prosecuting attorneys shall, upon the request of a local registrar or of the secretary of state, assist in the enforcement of the provisions of this act.

**Cemeteries—Establishment of—Approval by Local Board of Health. (Act No. 55, Apr. 14, 1915.)**

SECTION 1. No person or incorporated cemetery association shall establish a cemetery at any place in this State until a description of the premises and a plat showing the division thereof shall have been filed in duplicate with the local board of health having jurisdiction of the premises and approved as hereinafter provided. The local board of health shall determine as soon as may be thereafter whether or not it is necessary or desirable for a cemetery to be established in the proposed location, and if it approves of such location and the plat of said premises it shall indorse such approval on both plats. When the establishment of any such cemetery has been approved as aforesaid one of said plats shall be returned to the proprietor thereof and the other shall be retained and preserved by the local board of health: *Provided*, That this act shall not apply to the acquiring of contiguous additions to existing cemeteries.

**Communicable Diseases of Animals—Control of. (Act No. 66, April 21, 1915.)**

SECTION 1. Section 7 of act 182 of the Public Acts of 1885, entitled "An act to provide for the appointment of a State live stock sanitary commission and a State veterinarian and to prescribe their powers and duties and to prevent and suppress contagious and infectious diseases among live stock of the State," the same being section 5633 of the Compiled Laws of 1897, as amended by act 172 of the Public Acts of 1909, is hereby amended, and a new section is added to said act to stand as section 29 thereof, the said amended and added sections to read as follows:

"SEC. 7. The commission, or any member thereof, to whom the existence of any infectious or contagious disease of domestic animals is reported, shall forthwith proceed to the place where such domestic animal or animals are and examine the same, and if in his or their opinion any infectious or contagious disease does exist he or they are authorized to call upon the State veterinarian or other competent and skilled veterinarians to proceed to the place where said contagious or infectious disease is said to exist and examine said animal or animals, and report his or their finding to the said commission, which then shall prescribe such rules and regulations as in its judgment the exigencies of the case may require for the effectual suppression and eradication of the disease, and for that purpose the said commission may list and describe the domestic animals affected with such disease and those which have been exposed thereto and

included within the infected district or premises so defined and quarantined, with such reasonable certainty as would lead to their identification, and no domestic animal liable to become infected with the disease or capable of communicating the same shall be permitted to enter or leave the district, premises, or ground so quarantined, except by the authority of the commission. The said commission shall also from time to time give and enforce such directions and prescribe such rules and regulations as to separating, mode of handling, treating, feeding, and caring for such diseased and exposed animals as it shall deem necessary to prevent the two classes of animals from coming in contact with each other, and perfectly isolate them from all other domestic animals which have not been exposed thereto and which are susceptible of becoming infected with the disease, and the said commission and veterinarian are hereby authorized and empowered to enter upon any grounds or premises to carry out the provisions of this act.

"When in the opinion of the commission it shall be necessary to prevent the further spread of any contagious or infectious disease among the live stock of the State, to destroy animals affected with or which have been exposed to any such disease, it shall determine what animals shall be killed, and appraise the same, as hereinafter provided, and cause the same to be killed and the carcasses disposed of as in its judgment will best protect the health of domestic animals of that locality. Said commission shall also have power to declare and enforce a quarantine on dogs in any district of this State in which there is an outbreak of rabies, hog cholera, hoof-and-mouth disease, or any other contagious or infectious disease among live stock; and may order that all dogs in said district shall be securely chained or otherwise confined. Any dog found at large in contravention of the terms of such quarantine or order may be killed. It shall be the duty of the sheriff of each county in the district affected and of his deputies, constables, and other municipal police officers to see to it that such quarantine and orders are enforced. Any officer killing a dog pursuant to the provisions of this act shall not be subject to any liability therefor.

"Sec. 29. It shall be unlawful to import horses into this State for any purpose except when such horses shall have been subjected to the mallein test by or under the direction of a graduate of some recognized veterinary college. A certificate shall accompany such horses and shall show the time and manner of making such test, the results thereof, and the manner in which said test was conducted. It shall further state that at the time of the inspection, which shall not be more than sixty days prior to the importation, such horses were free from any contagious or infectious disease. Certified copies of such certificate shall be prepared in triplicate, one for the use of the shipper, one for the transportation company, and the third shall be forwarded immediately to the president of the State live stock sanitary commission. The expense of procuring the inspection, testing, and certificate aforesaid shall be paid by the person seeking to import such horses into this State: *Provided*, That the provisions of this section shall not apply to the shipment of horses on cars through the State to points beyond where there is a continuous passage; nor to persons living in this State and owning land in an adjoining State, who may take their horses across the State line for pasture or in connection with the working of such land."

#### Hospitals, County—Taxes for. (Act No. 74, April 21, 1915.)

SECTION 1. Section 2 of act number 139 of the Public Acts of 1909, entitled "An act relative to the maintenance and construction of hospitals and sanatoria within the counties of this State and to provide a tax to raise moneys therefor," approved May 26, 1909, is hereby amended to read as follows:

"SEC. 2. The tax provided for herein shall be apportioned and collected as other taxes for county purposes. Said tax shall not exceed five per cent of the general fund for any one year unless the same shall have been submitted to a vote of the qualified electors of such county."



## MINNESOTA.

**Viruses, Serums, Toxins, and Analogous Products—Use of, as Prophylactics Prohibited when Disapproved by United States Public Health Service.** (Reg. 104, Bd. of H., Nov. 14, 1915.)

No virus, serum, toxin, or analogous product shall be used in Minnesota for therapeutic purposes, the efficacy of which has been disapproved by the United States Public Health Service.

**County Tuberculosis Sanatoria—Establishment and Maintenance.** (Chap. 270, Act Apr. 23, 1915.)

SECTION 1. That section 717 of the General Statutes of Minnesota for the year 1913 be, and the same hereby is, amended to read as follows:

717. The board of county commissioners of any county in this State or the boards of county commissioners in any group of counties in this State shall have and are hereby granted and given power with the advice and approval of the advisory commission of the Minnesota Sanatorium for Consumptives to establish and maintain as hereinafter provided a sanatorium for the treatment and care of persons affected with tuberculosis, provided that said power so granted shall be exercised as follows:

(a) Such sanatorium may be established by a majority vote of the commissioners of such county or a majority vote of the commissioners of each such group of counties whenever and in cases where the amount of the cost of construction to be paid by such county or group of counties shall not exceed such sum as may be raised by a tax levy of not to exceed 1 mill on the dollar of the taxable property of any such county or group of counties.

(b) When the cost of constructing said sanatorium shall exceed the amount specified in subdivision "a" thereof, or whenever it is necessary to issue the bonds of such county or any county in any such group of counties to defray the cost which such county or any of such counties are required to pay under the terms of this act, then and in all such cases the question of (1) whether such sanatorium shall be established (and when necessary) (2) Whether such bonds shall be issued to defray any county's portion of the cost thereof, shall be submitted to the voters of such county or, if more than one, to the voters of each of such counties requiring a bond issue, and the sanatorium shall not be established or bonds issued therefor unless a majority of the voters of such county, or, if more than one, of each such county voting thereon shall vote in favor of each proposition submitted to it or to them.

(c) The board of county commissioners of any such county, or, if more than one, the board of county commissioners of any such counties shall have the power and authority in any case to submit the questions to the voters of any such county or counties in any way and manner provided in this act, and in the event that the cost which the county, or, if more than one, the counties will be required to pay for the erection of such sanatorium under this act shall be less than an amount equal to the amount which can be raised in any such county or counties by a tax levy of 1 mill on the dollar of the taxable property of each such county or group of counties, and the commissioners of any such county or counties shall decide not to construct the same under the power herein contained, on a petition of not less than 5 per cent of the freeholders of such county or counties, such question shall be submitted to the voters of such county or group of counties, and if a majority of the voters of such county or a majority of the voters of

each county of such group of counties voting thereon vote in favor thereof, then such sanatorium shall be erected hereunder and a tax levied, if necessary, to pay the cost which such county or counties are required to pay under this act, which tax shall be extended and collected as herein provided.

*Provided*, That any county or group of counties which has heretofore commenced proceedings to erect a sanatorium or taken any steps preliminary thereto may by a resolution of the board of county commissioners thereof, adopted by a majority vote of said board of county commissioners, or each board of county commissioners, as the case may be, determine to proceed under the provisions of this act, and may continue hereunder and complete such sanatorium and be entitled to all the provisions and benefits provided for in this act.

*Provided, however*, That the said sanatorium, when so constructed, shall in all respects conform to the requirements of this act.

The board of county commissioners of any such county, or the board of county commissioners of each of such group of counties, if more than one, erecting such sanatorium under the provisions of this act, may by resolution create a fund to be known as the "Sanatorium fund," and such funds may be raised by taxation at the time of deciding to erect such sanatorium under this act or at any time subsequent thereto; or if submitted to the people at the first meeting of the board of county commissioners, after the people of said county or counties shall have voted to erect the same, and the amount so determined by said board to be raised by taxation shall be levied by the county auditor in addition to all other taxes authorized by law, and shall be extended on the tax lists and collected as other county taxes, and this provision shall be construed to vest in the county commissioners of such county or counties, as the case may be, power to levy a tax to pay interest and principal of any bonds authorized hereunder as the same shall come due and become payable, and the said tax shall be levied, extended, and collected in the same way and manner as other county taxes are levied, extended, and collected, and shall be used for no other purpose: *Provided*, That no institution established under this act shall have less than 20 beds.

The question as to the establishment and maintenance of the sanatorium or issuance of bonds therefor may be submitted at a general or special election; if at the general election, the notices of such election shall state that the questions will be voted upon and the provisions for taking such votes shall be made upon the blue ballots furnished therefor, as in the case of other questions, and the result shall be canvassed and returned in like manner; if at a special election, such election shall be ordered by resolution of the county board and the procedure for, at, and after such election shall be substantially and as far as applicable the same as provided for in sections 399 to 403, inclusive, of the Revised Laws of 1905 (658-662), and the county auditor upon the passage of the necessary resolution shall proceed as in said sections provided. If the proposition is to affect more than one county, then the necessary action shall be taken by the county board and county auditor of each county affected. If funds are to be borrowed from the State, the procedure outlined herein shall be sufficient for that purpose, instead of those provided for in chapter 122, General Laws of 1907 (1879-1888).

If the bonding proposition should carry at any such election at which both propositions are voted upon, and the other proposition should fail to carry, no bonds shall be issued to provide money for the establishment or maintaining of a sanatorium until at some future election at which the question is properly submitted and a majority of the votes cast upon the question shall have been in favor of the establishing and maintaining of such sanatorium. Where more than one county is involved the result of the vote on the question or questions submitted in each of said counties shall be certified by the county auditor thereof to the county auditors of the other counties interested.

The amount of taxes to be raised in any one year in any one county for the construction of any such sanatorium hereunder shall never exceed an amount equal to the amount which may be raised by a tax levy of 1 mill on the dollar of taxable property in such county. ('13 c. 500, sec. 1.)

SEC. 2. That section 718 of the General Statutes of Minnesota for the year 1913 be, and the same hereby is, amended to read as follows:

718. Upon the decision to establish and maintain a tuberculosis sanatorium under this act, the county commissioners of any county shall appoint a commission consisting of three members, residents of the county, at least one of whom shall be a licensed physician. These members shall be chosen with reference to their special fitness for such office and the appointment of said licensed physician before becoming effective shall be approved by the State board of health. Under the first appointment one member shall be chosen to hold office for one year, one for two years, and one for three years, all from the first Monday of the next July following such appointment, and thereafter one member shall be chosen each year to serve for a period of three years commencing with the first Monday in July in each year, respectively, and each appointee shall hold office until his successor is appointed and has qualified. This commission shall be known as the county sanatorium commission. Its members shall serve without compensation, but shall be entitled to reimbursement for all necessary expenses incurred by them in connection with their official duties.

Said county sanatorium commission shall have full charge and control, except as hereinafter provided, of all moneys received for the credit of the tuberculosis sanatorium fund hereinafter described and full charge and control of the location, establishing, and maintenance of any sanatorium building constructed under this act and shall make such regulations concerning the same as may seem to it advisable, but no site shall be secured and no buildings erected or equipped without the approval and consent of the advisory commission of the Minnesota Sanatorium for Consumptives, and before final action is taken and plans and specifications shall be submitted to the State board of health for approval as provided by section 2131, Revised Laws of 1905 (4640). The State board of control shall have full power and control over the construction and equipment of any such sanatorium whose establishment has been determined upon by said county sanatorium commission as hereinafter provided.

Said county sanatorium commission may when deemed necessary appoint and employ with the approval and consent of the advisory commission of the Minnesota Sanatorium for Consumptives a competent superintendent who shall employ other necessary help at a compensation to be determined by the county sanatorium commission. Said superintendent shall be the executive officer of the sanatorium and he shall act as secretary of the county sanatorium commission. One member of said commission shall be elected annually by the commission as its president. ('13 c. sec. 2).

The county sanatorium commission of a county or group of counties may authorize the superintendent of a sanatorium to employ a nurse or nurses to visit in their homes consumptives who have been discharged from such institution and who reside within such county or group of counties. Such nurse shall render monthly reports in duplicate to the superintendent of the sanatorium and to the State board of health. Said sanatorium commission may establish an open air school or preventorium for child patients in connection with the sanatorium with the consent and approval of the advisory commission of the Minnesota Sanatorium for Consumptives.

Said county sanatorium commission of a county or group of counties is hereby authorized, with the approval of the advisory commission of the Minnesota Sanatorium for Consumptives, to use any surplus of the tax levy made for the maintenance of a sanatorium, for building, purchasing, equipments, building additions, building cottages, making improvements and repairs.

SEC. 3. That section 719 of the General Statutes of Minnesota for the year 1913 be, and the same hereby is amended to read as follows:

719. Two or more counties may unite in acquiring, establishing, equipping or maintaining such sanatorium and in such case said commission shall be composed in the first instance of two members chosen from each county in such group by the county

commissioners of each such county, and after the site for the sanatorium has been selected and has received the approval of the advisory commission of the Minnesota Sanatorium for Consumptives such commission shall be increased by the addition of a third member chosen from the county in which said sanatorium is to be located, by the county commissioners thereof; under the first appointment one member from each county shall be chosen to hold office for two years and one for three years from the first Monday of the next July following such appointment, and the additional member thereafter chosen from the county in which said sanatorium is to be located shall be chosen to hold office for one year from the said first Monday of the next July, and thereafter the members chosen to succeed said first appointees at the expiration of their terms shall each hold office for the term of three years, and each appointee provided for in this section shall hold office until his successor is appointed and qualified.

In any case where a group of two or more counties have jointly acquired, established, equipped, or maintained a sanatorium, and one or more counties in such group desires to separate from such group for the purpose of alone, or with another county or group of counties, establish or maintain separate sanatorium under this act, such county or counties desiring to withdraw from said group shall in writing request permission of the remaining counties in such group to do so and to fix and determine the financial obligation of the petitioner and of the other remaining counties of the group. In the event that the majority of such remaining counties shall fail to consent to such withdrawal within 90 days of such request, or consenting, fail to agree on said financial obligation, the county or counties desiring such separation shall, through the county attorney, make a petition setting forth facts showing that it would better serve the interests of all concerned that such county, either alone or with another group, carry on its work, which petition shall be presented to the district court of any county affected by said proceeding. Upon the presentation of such petition the court shall fix a time and place of hearing, and by order direct the other interested counties to appear not less than 20 days after the service of notice thereof on the several county auditors of the interested counties. At the time so fixed, or at any other time designated, the court, without a jury, shall hear said petition and such evidence as may be adduced by the parties, and if the petition be granted, by its order detach the petitioner from the group to which it belonged, and may annex the same to another group, and may fix and determine the financial obligation of the petitioner with respect to the group of counties to which it was formerly joined, and also to the group of counties to which it may be annexed.

SEC. 4. That section 720 of the General Statutes of Minnesota for the year 1913 be, and the same hereby is, amended to read as follows:

720. A county or group of counties wishing to establish a sanatorium as indicated in section 1 (717) shall, through the board or boards of county commissioners, appropriate one-half the necessary funds in apportioned amounts as hereafter provided for the establishment, construction, and equipment of the same, and may issue bonds therefor in the manner provided by law for the issuance by counties of bonds for other purposes. The State treasurer shall pay out of the funds hereafter provided under this act one-half the cost of the erection and equipment of each such sanatorium, including cost of site, which payment shall be made in the manner provided by law for the payment of expense incurred by the State board of control in the erection and equipment of public buildings: *Provided*, That the amount contributed by the State toward the cost of the erection and equipment of each such sanatorium, including cost of site, shall not exceed \$50,000. Whenever any such sanatorium has been erected and equipped, said county sanatorium commission shall have full charge and control of the maintenance of the same, but may confer with the State board of control with reference thereto or respecting the purchase of supplies therefor whenever it desires so to do, and said State board of control shall aid in the securing of favorable contracts for the pur-

chase of supplies when so called upon. Said county sanatorium commission shall determine by resolution each year prior to July 1 the amount of money necessary for the maintenance of such sanatorium during the following year, and a certified copy of such resolution shall be forthwith forwarded to the board or boards of county commissioners, and such board or boards shall at the regular meeting in July include the properly approved and apportioned amount in the annual levy of county taxes. In no case shall the amount of such levy in any one year exceed 1 mill on the dollar of assessed valuation. For the maintenance of each free patient treated in the sanatorium, the sum of \$5 per week shall be paid to said county or group of counties by the State treasurer out of funds appropriated under this act, which payments shall be made monthly upon warrants of the State auditor, drawn upon the State treasurer: *Provided*, That the president and executive secretary of the advisory commission of the Minnesota Sanatorium for Consumptives certify that the institution has been properly conducted.

Moneys received by a county or counties from the State treasurer for the maintenance of free cases shall be placed to the credit of the sanatorium fund. In case two or more counties unite in a decision to establish a sanatorium, the county sanatorium commission shall apportion by resolution one-half the estimated total cost of site, erection and equipment and the estimated total cost of maintenance for the ensuing year between or among said counties, and designate the amount to be raised by each county, which said apportionment shall be based approximately upon the respective population of said counties as determined by the last previous Federal or State census. When so apportioned said commission shall forward to the board of county commissioners of each county a certified copy of such resolution, and each county board shall then proceed to pay if it has funds available for that purpose or to make a tax levy for the amount apportioned to its county. All moneys collected or received for such sanatorium purposes except cost of site, erection, and equipment shall be deposited in the treasury of said county to the credit of the tuberculosis sanatorium funds, and shall not be used for any other purpose and shall be paid out in a manner provided by law for other county expenses by the proper officers of said county, upon the properly authenticated vouchers of the county sanatorium commission signed by the president and secretary thereof, and all moneys collected or received to be used toward the payment of the cost of site, erection, and equipment of such sanatorium shall be sent by each county treasurer to the State treasurer to be placed to the credit of said sanatorium and shall be paid out in the manner as in this section provided for other payments toward cost of site, erection, and equipment of said sanatorium. (13 C. 500, sec. 4.)

**Tuberculosis Hospitals—Counties Containing 25,000 Inhabitants or Less may Aid.**  
(Chap. 326, Act Apr. 24, 1915.)

**SECTION 1.** *County commissioners authorized to aid in the maintenance or erection of hospital.*—The board of county commissioners in any county in this State containing 25,000 inhabitants or less is hereby authorized to appropriate from the general revenue fund of such county a sum not exceeding \$40,000 in any one year to aid in the maintenance or erection of a hospital within such county.

**SEC. 2.** *Commissioners may require a bond from hospital authority.*—Before any such appropriation shall be made in any county under the provisions of this act the board of county commissioners of such county may, in their discretion, require a bond on the part of the authorities of such hospital in a sum of at least the amount of the appropriation with sureties to be approved by such board, conditioned that such hospital shall be operated in a first-class manner for the year for which said appropriation is made, or for such further time as such board may require, and that the authorities of such hospital shall receive at such price or compensation as may be fixed and agreed

upon by and between such board and the authorities of such hospital at or before the time of the giving of such bond, all patients who may be a charge or dependent upon such county.

**Tuberculosis—Patients at the State Sanatorium to be Employed by the State Forester. (Chap. 325, Act Apr. 24, 1915.)**

SECTION 1. The State forester is hereby authorized and directed that in the employment of labor whenever it is necessary to reforest the State lands of the State, or to perform such other labor as will by him be deemed proper in the care of such lands, he shall consult the superintendent of the State sanatorium for consumptives and find from such superintendent those persons who are able to perform labor who have received treatment at said sanatorium or a county sanatorium for three months and shall in the employment of such laborers give preference to those who are in his judgment competent to perform such labor.

SEC. 2. The compensation to be paid for such labor shall be the same as that received by others for like services.

**Appropriations for Public Health Work. (Chap. 374, Act Apr. 24, 1915.)**

[The following appropriations are available, where not otherwise stated, for each of the fiscal years ending July 31, 1916, and July 31, 1917:]

**SEC. 19.—STATE BOARD OF HEALTH.**

1. For maintenance.....	\$14,500
2. For maintenance, available for year ending July 31, 1915.....	8,000
3. For recording vital statistics.....	5,000
4. For dealing with preventable diseases.....	15,000
5. For expense of maintaining laboratories, \$3,000 of which amount shall be applied to the maintenance of the public laboratory at Duluth, \$2,500 to the maintenance of the public laboratory at Mankato, \$14,500 to the maintenance of the public laboratory of the Board of Health of the State University, at Minneapolis.....	20,000
6. For providing free antitoxin.....	5,000
7. For conducting Pasteur Institute.....	7,000
8. For sanitary engineering work.....	7,000
9. For dealing with and caring for indigent nonresidents who are carriers of typhoid fever or other infectious diseases, available for the year ending July 31, 1915.....	500
10. For dealing with and caring for indigent nonresidents who are carriers of typhoid fever or other infectious diseases.....	500

**SEC. 20.—ADVISORY COMMISSION OF THE MINNESOTA (STATE) SANATORIUM FOR CONSUMPTIVES.**

1. For maintenance.....	\$15,000
2. For authorized expenditures by the State in the planning, construction, and equipment of county and district tuberculosis hospitals and sanatoria, and for the care of inmates therein, as provided by law.....	100,000

**Butter and Cheese—Grading—Tuberculin Test of Cows not Required. (Chap. 368, Act Apr. 24, 1915.)**

SECTION 1. That subdivision 3 of section 4 of chapter 366 of the General Laws of Minnesota for 1913, same being subdivision 3 of section 3685, General Statutes of Minnesota, 1913, be and the same is hereby amended so as to read as follows:

"Third. The butter or cheese manufactured in such factories shall grade or score at least 93 points out of a possible 100, according to the usual and accepted methods of judging and grading butter and cheese. For the purpose of obtaining such license such grade must have been made at least 15 days prior to such application."

SEC. 2. That section 5 of chapter 366 of the General Laws of Minnesota for 1913, same being section 3686 of the General Statutes of Minnesota, be and the same is hereby amended so as to read as follows:

"**Sec. 5. *Scoring necessary to continue use of brand.***—No license shall be granted for the use of Minnesota brand or label grade B for the manufacture of butter or cheese unless all the requirements necessary for the manufacture of butter or cheese graded Minnesota A1, as set forth in section 4 of this act, shall have been complied with, excepting that the butter or cheese shall score at least 92 points out of a possible 100, according to the usual and accepted methods of judging and grading butter and cheese, and shall not have fallen below 92 per cent more than three times in any year, and shall never fall below 92 per cent; and the factory in which such butter or cheese is manufactured must score at least 85 points; and the dairies supplying milk or cream to such factories shall score at least 50 points. And, further, cows from which milk or cream is produced need not be tested for tuberculosis."

**Cold-Storage Eggs—Must be Labeled and Sold as Such. (Chap. 18, Act Feb. 25, 1915.)**

**SECTION 1.** No person, firm, or corporation by himself or his agents shall sell, agree to sell, or advertise for sale any cold-storage eggs without making it known to the purchaser or prospective purchaser that the eggs are cold-storage eggs, and all boxes or other receptacles in which cold-storage eggs are sold or delivered, in wholesale or retail, shall be stamped in a conspicuous manner with the words: "Cold-storage eggs."

**Sec. 2.** The dairy and food commissioner of the State is charged with the proper enforcement of all the provisions of this act.

**Sec. 3.** Whoever shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than \$25 nor more than \$100 or by imprisonment in the county jail for not less than 15 days for each and every offense.

**Preservative Compounds—Adulteration. (Chap. 335, Act Apr. 24, 1915.)**

**SECTION 1.** It shall be unlawful for any person to manufacture for sale within the State of Minnesota any article to be used as a canning compound or chemical preservative in the canning and preserving of fresh fruits and vegetables which is adulterated within the terms of this act, nor shall any person add to, apply, or use, in the process of canning fruits or vegetables, any canning compound which is adulterated within the terms of this act.

*Provided,* That no article shall be deemed adulterated within the provisions of this act when intended for export to any foreign country or purchaser, and prepared and packed according to the specifications or directions of the foreign country to which said article is intended to be shipped; but if said article shall be, in fact, sold or offered for sale for domestic use or consumption, then this proviso shall not except said article from the operation of any of the other provisions of this act.

**Sec. 2.** The having in possession of any preservative compound which is adulterated as herein defined, with intent to sell the same, is hereby prohibited, and whoever shall have in his possession with intent to sell, sell, or offer for sale any preservative compound which is adulterated within the meaning of this act shall be guilty of a misdemeanor and, on conviction thereof, shall be punished as hereinafter provided.

Proof that any person, firm, or corporation has or had possession of any preservative compound which is adulterated within the terms of this act shall be prima facie evidence that the possession thereof is in violation of this section.

**Sec. 3.** The term "Preservative compound" as used herein shall include all articles used for preservative purposes, whether simple, mixed, or compound, and any substance used as a constituent in the manufacture thereof.

**Sec. 4.** That for the purposes of this act a preservative compound shall be deemed to be adulterated if it contain any added poisonous or other added deleterious, un-

wholesome, and injurious ingredient which may render said article injurious to public health; and formaldehyde, hydrofluoric acid, and salicylic acid, sulphurous acid, and all compounds and derivatives thereof are hereby declared unwholesome and injurious.

SEC. 5. The dairy and food commissioner of the State is charged with the proper enforcement of all provisions of this act.

SEC. 6. Whoever shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and violation thereof shall be punished by a fine of not less than \$25 nor more than \$100, or by imprisonment in the county jail for not more than three months.

SEC. 7. That chapter 441, General Laws of 1913, be and the same is hereby repealed.

**Habit-Forming Drugs—Sale and Dispensing. (Chap. 260, Act Apr. 23, 1915.)**

SECTION 1. On or after the 31st day of December, 1915, it shall be unlawful for any person to possess or sell or otherwise dispose of any opium or preparation or manufacture thereof; any morphine or salt or ester or other derivative thereof; any coca leaves except decocanized coca leaves; any preparation or manufacture of coca leaves except decocanized preparations or manufactures; any cocaine or salt or ester or other derivative thereof; any alpha— or beta—eucaine or salt or ester thereof; or any chloral or any salt or ester thereof; or any synthetic substitute for any of the aforesaid substances: *Provided*, That nothing contained in this section shall apply:

(a) To the possession of any of the aforementioned substances by legally licensed physicians or surgeons in connection with the practice of medicine or surgery, by legally licensed dentists in connection with the practice of dental medicine or surgery, by legally licensed veterinarians in connection with the practice by veterinary medicine or surgery, by legally licensed pharmacists or druggists in connection with the practice of pharmacy, by hospitals or similar institutions when intended exclusively for the treatment of patients in said institutions, by manufacturers of any of the aforementioned substances by wholesale dealers in any of the aforementioned substances, or by colleges, scientific, or public institutions when intended exclusively for educational, scientific, or public purposes.

(b) To the possession by common carriers of original packages of any of the aforementioned substances consigned to any of the persons enumerated in paragraph (a) of this section.

(c) To the possession by duly authorized officers of the law of any of the aforementioned substances seized in the performance of their official duties.

(d) To the possession by any person of any of the aforementioned substances which have been dispensed by a legally licensed physician, surgeon, dentist, veterinarian, pharmacist, or druggist in compliance with this act, and are possessed in the form in which they are dispensed and in a container which is labeled in conformity with this act.

(e) To the possession by consumers, by common carriers, or by retail dealers licensed by the board of pharmacy of bona fide medicinal preparations intended for internal use which do not contain 1 fluid ounce or, if a solid or a semisolid preparation, in 1 avoirdupois ounce separately more than 2 grains of opium or the extractive of 2 grains thereof, or more than one-fourth grain of morphine or any salt thereof, or more than one-eighth grain of heroin or any salt thereof, or more than 1 grain of codeine or any salt thereof, or 120 grains of chloral or any salt or ester thereof, or of any bona fide medicinal preparation suitable for external use only which does not contain cocaine or any salt or derivative thereof or any synthetic substitute therefor, or alpha or beta eucaine or any salt or derivative thereof or any synthetic substitute therefor, or heroin or any salt or derivative thereof.

(f) To the sale or other disposal of the aforementioned substances by manufacturers, wholesale dealers, legally licensed pharmacists or druggists to manufacturers, whole-



sale dealers, hospitals or similar institutions, colleges, scientific or public institutions, or legally licensed physicians, dentists, veterinarians, pharmacists, or druggists: *Provided*, That a record of such sale or disposal, showing the date of the transaction, the names and addresses of the parties thereto, and the name and quantity of the substance transferred be made and kept on file by both parties to the transaction for two years, open to inspection by duly authorized officers of the law: *Provided*, That the making and preserving of any order and duplicate or of any record required by any other law of this State or of the United States, which order, duplicate, or record shall set forth the facts above required to be stated, shall be deemed a satisfactory compliance with the provisions of this paragraph. Whenever required to do so by the authorities charged with the duty of enforcing this act any person selling or distributing the aforementioned substances shall render to such authorities requesting it a true and correct statement verified by affidavit setting out the quantity of such drugs received by him during a period immediately preceding the request, not exceeding three months, as the authorities may demand, the names of the persons from whom the said drugs were received, the quantity in each instance received from each of such persons, and the date when received.

(g) To the sale or other disposal to a consumer of any of the aforementioned substances by a legally licensed pharmacist or druggist pursuant to the written prescription of a legally licensed physician, surgeon, or dentist: *Provided*, That said prescription is dated as of the day on which it was signed by the prescriber, bears the signature and address of the prescriber and the name of the person for whose use the said substance is intended: *And provided*, That the said prescription be serially numbered and dated and filed in its appropriate place in the prescription file of the compounder and be retained on file for two years, open to inspection by any duly authorized officer of the law: *And provided further*, That, with the exception of any prescription for a preparation which, if for internal use, does not contain in 1 fluid ounce, if a solid or semi-solid preparation, in 1 avoirdupois ounce separately more than 2 grains of opium or the extractive of 2 grains thereof, or more than one-fourth grain of morphine or any salt thereof, or more than one-eighth grain of heroin or any salt thereof, or more than 1 grain of codeine or any salt thereof, or 120 grains of chloral or any salt or ester thereof, or, if for external use, does not contain cocaine or any salt or derivative thereof or any synthetic substitute therefor, or alpha or beta eucaine or any salt or derivative thereof or any synthetic substitute therefor, or heroin or any salt or derivative thereof, such prescription shall be filled but once, and no copy of such prescription shall be given to any person except to a duly authorized officer of the law for use in connection with the enforcement of this act or laws of the United States: *And provided further*, That the medicine dispensed upon such prescription shall be delivered in a container which is labeled with the serial number of the prescription, the date upon which it is filled, the name of the person for whose use the medicine is intended, the name of the prescriber, and the name and address of the dispenser.

(h) To the sale or other disposal of any of the aforementioned substances by a legally licensed pharmacist or druggist to a person authorized in writing by the prescriber: to receive such substance on the written prescription of a legally licensed veterinarian: *Provided*, That such prescription is dated as of the day on which it was signed by the prescriber, bears the signature and address of the prescriber, the name of the person authorized to receive the medicine, and the kind of animal for whose use the said substance is intended: *And provided*, That such prescription be identified, filed, and preserved in the manner provided in the preceding paragraph: *And provided further*, That with the exception of any prescription for a preparation for external use, which does not contain any cocaine or any salt or derivative thereof or any synthetic substitute therefor, or any alpha or beta eucaine or any salt or derivative thereof or any synthetic substitute therefor, or any heroin or any salt or derivative thereof, such prescription shall be filled but once, and no copy of such prescription shall be given

to any person except to a duly authorized officer of the law for use in connection with the enforcement of this act or the laws of the United States: *And provided further*, That the medicine dispensed upon such prescription shall be delivered in a container, which is labeled with the serial number of the prescription, the date upon which it is filled, the name of the person authorized by the prescriber to receive the medicine, the kind of animal for whose use the medicine is intended, the name of the prescriber, and the name and address of the dispenser.

(i) To the administration, sale, or other disposal of any of the aforementioned substances by a legally licensed physician or dentist for or to a patient upon whom he is in professional attendance: *Provided*, That said physician or dentist shall keep a record of the name and address of the patient, the date of the sale or other disposal, and the amount of the drug transferred: *Provided*, That the making and preserving of any record required by any other law of this State or of the United States, which record shall set forth the facts above required to be stated, shall be deemed satisfactory compliance with the provisions of this paragraph: *And provided further*, That any of the aforementioned substances dispensed for the use of a patient by a legally licensed physician or dentist shall be delivered in a container labeled with the name of the patient, the date of the delivery, and the name and address of the dispenser.

(j) To the administration of any of the aforementioned substances to a lower animal and not to a human being by a legally licensed veterinarian, or to the prescribing, sale, or other disposal of the aforementioned substances for administration to a lower animal and not to a human being, by a legally licensed veterinarian: *Provided*, That said veterinarian when selling or delivering any of the aforementioned substances shall keep a record of the name and address of the person to whom he delivers any of the aforementioned substances, the kind of animal for whose use the aforementioned substances are delivered, the date of the delivery, and the amount of the drug transferred in such instances as he may deliver of any of the aforementioned substances more than two full adult medicinal doses for the kind of animal specified: *And provided further*, That any of the aforementioned substances delivered by a legally licensed veterinarian shall be delivered in a container labeled with the name of the person to whom the delivery is made, the kind of animal for whose use the medicine is intended, the date of the delivery, and the name and address of the dispenser.

(k) To the sale by manufacturers, wholesale dealers, legally licensed pharmacists, druggists, physicians, surgeons, dentists, or veterinarians, or by retail dealers licensed by the board of pharmacy to sell bona fide medicinal preparations intended for internal use, which do not contain in 1 fluid ounce, or if a solid or semisolid preparation in 1 avoirdupois ounce, separately more than 2 grains of opium or the extractive of 2 grains thereof, or more than one-fourth grain of morphine or any salt thereof, or more than one-eighth grain of heroin or any salt thereof, or more than 1 grain codeine or any salt thereof, or 120 grains of chloral or salt or ester thereof, or of any bona fide medicinal preparation suitable for external use only, which does not contain cocaine or any salt or derivative thereof or any synthetic substitute therefor, or alpha or beta eucaine, or any salt or derivative thereof or any synthetic substitute therefor, or heroin or any salt or derivative thereof.

Sec. 2. It shall be unlawful for any physician or dentist to furnish to or prescribe for the use of any habitual user of the same any of the substances enumerated in section 1 of this act: *Provided*, That the provisions of this section shall not be construed to prevent any legally licensed physician from prescribing in good faith for the use of any patient under his care for the treatment of a drug habit such substances as he may deem necessary for such treatment: *Provided*, That such prescriptions are given in good faith for the treatment of such habit.

Sec. 3. Any person who violates the foregoing provisions of this act shall be deemed guilty of a felony and for each violation thereof shall be punished on conviction thereof by imprisonment in the penitentiary for not less than one year nor more than

five years, or by a fine of not less than \$100 nor more than \$1,000, or both imprisonment and fine in the discretion of the court: *Provided, however,* That a legally licensed pharmacist or druggist shall not be held liable for the innocent compounding and dispensing of any of the articles enumerated in section 1 of this act in consequence of a false, fraudulent, or forged prescription which he in good faith believed to be a prescription of a licensed physician, licensed dentist, or licensed veterinarian issued for a lawful purpose.

SEC. 4. Whenever any legally licensed physician, surgeon, dentist, veterinarian, pharmacist, druggist, manufacturer, wholesale or retail dealer, or institution shall have been twice convicted in a court of proper jurisdiction of any felony under this act, the officer or board having power to issue licenses to any such licensed person may, after giving such licensee reasonable notice and opportunity to be heard, revoke the license of said licensee.

SEC. 5. The word "person" as used in this act shall be construed to mean and include a partnership, association, company, or corporation, as well as a natural person.

SEC. 6. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 7. This act shall take effect and be in force from and after December 31, 1915.

#### **Drugs, Medicines, and Poisons—Sale or Compounding by Persons Not Registered Pharmacists Prohibited. (Chap. 62, Act Mar. 31, 1915.)**

SECTION 1. That section 5046, General Statutes 1913, be amended to read as follows:  
 "5046. *Punishment for sale by other than druggist.*—No person not a registered pharmacist or a dealer employing and keeping such a pharmacist in active charge of his place of business shall retail, compound, or dispense drugs, medicines, or poisons, or keep or conduct a place for retailing, compounding, or dispensing drugs, medicines, or poisons, or falsely assume or pretend to the title of a registered pharmacist. No registered pharmacist or other person shall permit the compounding or dispensing of prescriptions or the vending of drugs, medicines, or poisons in his place of business, except under the supervision of a registered pharmacist or assistant. Every person violating any provision of this section shall be guilty of a misdemeanor and shall be punished by a fine of not less than \$50, except in cases where the death of a human being results from such violation, when the person offending is guilty of a felony."

#### **Communicable Diseases of Animals—Compensation for Animals Condemned and Killed. (Chap. 114, Act Apr. 12, 1915.)**

SECTION 1. That Section 4696, General Statutes of Minnesota for 1913, be and the same is hereby amended so as to read as follows:

4696. *Killing—Owner to be notified—Appraisal—Protest—Autopsy, etc.*—Whenever the State live stock sanitary board shall decide upon the killing of an animal affected with the disease of tuberculosis, glanders or foot-and-mouth disease, it shall notify the owner or keeper of such decision, when the judgment of the State live stock sanitary board such animal may be ordered transported for immediate slaughter by said board through its executive officer to any abattoir within the State where the United States Bureau of Animal Industry maintains inspection, and said live stock sanitary board shall pay the expense, said transportation and yardage.

Before being removed from the premises of owner, there shall be appointed three competent disinterested men, one appointed by the State, one by the owner and a third by the first two, to appraise such animal at its cash value.

Such appraisal shall in no case exceed \$60 for a cow and \$125 for a horse, except in the case of pure bred cattle and horses, where the pedigree shall be proved by certificates of register from the herd books where registered, and in that case the maximum appraisal shall not exceed \$150.

If upon slaughter such animal is found by the inspector in charge of such abattoir, or veterinarian of the State live stock sanitary board, to be free from any contagious or infectious disease, then the full amount of such appraisal, less the value of the carcass, shall be paid to the owner of such animal from the funds hereby appropriated for the purpose of carrying out this act.

But if upon post mortem examination such animal shall be found to be afflicted with tuberculosis, glanders or foot-and-mouth disease, then and in that case the value of the carcass shall be deducted from the appraised value of the living animal; three-fourths of the remainder shall be paid to the owner by the State, provided the animal has been kept for one year or since its birth in good faith in the State prior to the killing thereof.

The owner or keeper may file with the board which has ordered the killing, within 48 hours after being notified, a protest stating therein under oath that to the best of his knowledge and belief the animal is not infected with tuberculosis, glanders or foot-and-mouth disease; blank protest shall be furnished by the board which has ordered such killing.

Thereupon, if the animal be killed, an autopsy shall be held by three experts, who shall be graduate veterinarians of a recognized college, one appointed by the State board, one by the owner, to be paid by the owner, and the third by the first two to be paid by the State, who shall appraise such animal before it is killed at its cash value, and the autopsy shall then be held upon such animals by the above mentioned veterinarians.

If the autopsy shows that the animal is entirely free from any such disease, the full cash value thereof immediately before the killing shall be paid to the owner by the State, less the value of the carcass, but if found to be diseased, the owner shall be paid three-fourths value, as hereinbefore provided.

The appraisements made under this act shall be in writing and signed by the appraisers and certified by the local board of health and the State live stock sanitary board, respectively, to the auditor of the State, who shall draw a warrant on the State treasurer for the amount thereof.

When cattle have been bought in good faith for slaughtering purposes by butchers who are retail dealers, and the carcasses thereafter found to be infected with tuberculosis, it shall be the duty of the local board of health to appoint three disinterested persons to appraise the value of said carcass, and the owner of said carcass shall be entitled to receive from the State two-thirds of the amount of such appraisement, and the hide shall also be returned to him: *Provided, however*, That this provision shall not apply to a slaughtering or packing house that has a State or United States Government inspection system.

#### **Railway Cars Carrying Live Stock—Cleaning and Disinfection. (Chap. 41, Act Mar. 18, 1915.)**

SECTION 1. It shall be the duty of every railway company operating a railroad within this State to cause every railroad car used in the transportation of live stock in this State to be properly and thoroughly cleaned by removing all litter, manure, and refuse from such car once in every month between the 1st day of March and the 1st day of December of each year.

SEC. 2. It shall be the duty of every railway company operating a railroad within this State to cause to be cleaned and properly disinfected immediately before loading every car used for transporting live stock for feeding or breeding purposes from any railway terminal point in this State to any other point in this State.

SEC. 3. The State live stock sanitary board is hereby authorized to make and to change from time to time all reasonable rules and regulations for the disinfection of cars used for the transportation of live animals within this State. The said board shall furnish from time to time to each railway company operating a railroad within this

State copies of said rules. It is hereby made the duty of every such railway company to obey each and every one of said rules.

SEC. 4. Any railway company violating any of the provisions of this act shall be guilty of a misdemeanor and shall on conviction thereof be fined not less than \$50 nor more than \$500.

**Sewer Systems—Establishment by Municipalities Having Less than 10,000 Inhabitants. (Chap. 35, Act Mar. 16, 1915.)**

SECTION 1. That chapter 312 of the general laws of 1903 as amended by chapter 141 of the general laws of 1907, chapter 364 of the general laws of 1909, chapter 385 of the general laws of 1909, and chapter 396 of the general laws of 1913 be, and the same is hereby, amended so as to read as follows:

SEC. 2. In any city of this State having a population of 10,000 or less, and in all villages and boroughs of this State, whether organized under the general laws or a special law, the city, village, or borough council shall have power to maintain and extend any existing sewer system, to relay, alter, or extend any existing sewer system and to establish and maintain a general system of sewers and to create sewer districts and change, diminish, or enlarge the boundaries thereof from time to time.

SEC. 3. The city, village, or borough council may at any time establish a general sewer system, and may classify sewers as general, district, joint district, and lateral. General sewers shall be the designation of such large sewers as shall be common to the entire city, village, or borough or used as outlets for district or joint-district sewers and shall not include those which may or shall be constructed for the immediate drainage of any particular district. District sewers shall be the designation of all main sewers laid for the immediate draining of a particular sewer district. Joint-district sewers shall be the designation of such large sewers as may be laid through or be used jointly by two or more sewer districts between a district sewer and a general sewer or independently of general sewers, and for all purposes of construction, maintenance, repairing, and taxation, or providing for the cost thereof, shall be treated as though in a single district. Lateral sewers shall be the designation of all sewers of whatever size, capacity, or length which may be constructed to drain any portion of a sewer district directly into any district, joint-district, or general sewer. Sewer districts shall be wherever practicable laid out to include any particular portion of the city, village, or borough, which may be drained entirely by itself, or which may be first drained by itself and then through connection with a general sewer.

SEC. 4. All general, district, and joint-district sewers shall be laid when practicable in public grounds, streets, or alleys. Whenever it shall be necessary in the judgment of the city, village, or borough council to lay and maintain any general, district, joint-district, or lateral sewer in or through other than public lands the city, village, or borough may acquire the right thereto by purchase or by condemnation under the right of eminent domain.

SEC. 5. No action shall be taken for the extension of any existing sewer nor for the construction of an entire or partial system except upon the adoption of an ordinance or resolution by a majority vote of all the members of the city, village, or borough council. The creation of sewer districts and the alteration of the boundaries thereof shall be by ordinance, and the council may at all times cause inspections, surveys, plans, and profiles to be made by the city, village, or borough engineer or other competent engineer to be selected by the city, village, or borough council, and reported to the city, village, or borough council for its guidance in determining the form and extent of any sewer district to be created, enlarged, or diminished; and such sewer districts shall be consecutively numbered.

SEC. 6. The cost of constructing a general sewer shall be paid out of the sewer fund, if any, or if there is no sufficient sewer fund then out of the general revenue fund of the city, village, or borough.

SEC. 7. The cost of constructing every district sewer may be assessed against all the land in the sewer district subject to assessment for local improvements, without regard to cash valuation, and each lot, piece, or parcel of land in the district so subjected to assessment shall be assessed in the ratio of the square feet area to the total assessable area of the whole sewer district.

SEC. 8. The cost of constructing every joint district sewer may be assessed against all the land in the two or more sewer districts which it drains, and for that purpose all of the districts so drained by any joint district sewer shall be treated as one district, and the same plan, method, and means employed as in assessing for the cost of a district sewer.

SEC. 9. The entire cost of constructing all lateral sewers may be assessed against every lot, piece, or parcel of land abutting thereon, subject to assessment for local improvement at an equal sum per front foot without regard to cash valuation.

SEC. 10. Whenever the city, village, or borough council shall determine by ordinance or resolution to alter, repair, relay, or extend any existing sewer, or to construct any new sewer, the cost thereof shall be estimated by the city, village, or borough engineer or some other competent engineer to be selected by the city, village, or borough council, who shall draw plans and specifications and tabulate the results of his estimate of the cost and report the same to the city, village, or borough council; and such plans and specifications shall be filed with the clerk or recorder of such city, village, or borough before any proposals for bids for work thereunder shall be advertised, and shall remain on file, open to the inspection of all persons until after the contract for such work shall be let and copies of such plans and specifications shall be furnished by the engineer who shall prepare the originals, to any person applying therefor, at a cost of 75 cents per hour for the time necessarily employed in making such copies.

SEC. 11. The city, village, or borough council shall then cause proposals for bids for such work to be advertised in the official paper of the city, village, or borough, and in a newspaper at the capital of the State, at least once in each week for three successive weeks, which advertisement shall specify the work to be done and shall call for bids upon a basis of cash payment for the work, and shall state the time within which bids will be received and the exact time at which the same will be opened for consideration by the city, village, or borough council. No bid shall be considered unless the same shall be accompanied by a cash deposit or duly certified check payable to the order of the treasurer of the city, village, or borough for at least 15 per cent of the amount bid, and be directed to the clerk or recorder of the city, village, or borough, securely sealed, so as to prevent its being opened without detection, and be indorsed upon the outside wrapper with a brief statement or summary as to the work for which the bid is made. In letting contracts for any such work it shall be the duty of the city, village, or borough council to require the execution of a written contract and a bond in such sum as the city, village, or borough council may require, conditioned for the faithful performance of the contract and for saving the city, village, or borough harmless from any and all liability in the prosecution and completing of the work. The city, village, or borough council, if a contract is awarded, shall award the same to the lowest responsible bidder.

If any bidder to whom such contract is awarded shall fail to enter promptly into such written contract and to furnish such bond, then such defaulting bidder shall forfeit to the city, village, or borough the amount of his cash deposit or certified check and the city, village, or borough council may thereupon award the contract to the next lowest responsible bidder; provided the city, village, or borough council shall have the right to reject all bids, and provided further, that whenever the estimates made for the city, village, or borough council for the entire work projected shall be less than \$500, then the city, village, or borough council may directly purchase the materials therefor and cause the work to be done by day labor. Every contract awarded under this act

shall be made between the city, village, or borough as one party, in the name of the city, village, or borough, and the successful bidder as the other party, and such contract shall be executed on the part of the city, village, or borough by the mayor or executive officer thereof and countersigned by the clerk or recorder of said city, village, or borough, with the corporate seal of the city, village, or borough affixed, and an attested copy thereof shall be filed and remain in the office of the clerk or recorder of the city, village, or borough.

In every contract executed under this act, whether or not so stated therein, there shall be reserved the right of the city, village, or borough council to have the work supervised by the city, village, or borough engineer or other person, and in case of improper construction or unreasonable delay in the prosecution of the work by the contractor, to order and cause suspension of the work at any time and to relet the contract therefor or to order a reconstruction of any portion of the work improperly done, or, where the remaining work to be done or the work of reconstruction to be made shall call for an expenditure of less than \$500 to complete the work or reconstruction by the employment of day labor.

SEC. 12. In case the contractor to whom any such contract may be let shall properly perform the work therein designated, the city, village, or borough council may, from time to time, before the completion of the work, in its discretion, pay to such contractor 80 per cent of the amount already earned thereunder upon the estimate of the city, village, or borough engineer or other competent engineer selected by the city, village, or borough council.

SEC. 13. Whenever any work or improvement provided for by this act shall have been determined upon and a contract let therefor, the city, village, or borough engineer, or other competent engineer selected by the city, village, or borough council, shall forthwith calculate the proper amount to be specially assessed for such district, joint district, and lateral sewers against every assessable lot, piece, or parcel of land within the sewer district affected, without regard to cash valuation, in accordance with the provisions of sections 7, 8, and 9 of this act.

*Provided*, That no property shall be especially assessed for the cost of a sewer in excess of the cost of a sewer 18 inches in diameter, and that whenever any district, joint district, or lateral sewer of larger diameter than 18 inches shall be laid or relaid the cost thereof in excess of the estimated cost of a like sewer 18 inches in diameter shall be paid out of the sewer fund, if any, or in case there is no sufficient sewer fund then out of the general revenue fund of the city, village, or borough.

*Provided further*, That in calculating the special assessment for any district sewer or joint district sewer the cost of laying or relaying such sewer in any public ground, street, or alley; and all catch basins, manholes, lamp holes, and flushing valves and tanks shall be taken as a part of such district sewer or joint district sewer and to be paid for by such special assessment.

*And provided further*, That private owners may lay, relay, or extend any lateral sewer through any public ground, street, or alley and connect the same with any general district or joint district sewer upon permission granted by a majority of the city, village, or borough council, and that any private owner alone, or two or more owners jointly, may lay, relay, or extend lateral sewers through private ground pursuant to rights acquired therefor by agreement or purchase from any private owner or owners. In the event that any private owner alone or jointly with others lay, relay, or extend any such lateral sewer through public ground the city, village, or borough shall not be or become in any manner or in any respect liable for any act or negligence involved therein.

When such engineer shall have finished his calculation of the amount to be specially assessed as aforesaid, against each lot, piece, or parcel of land in the sewer district affected, he shall at once prepare and file with the clerk or recorder of the city, village, or borough tabulated statements in duplicate, showing the proper description of

each and every lot, piece, or parcel of land to be specially assessed and the amount he has calculated against the same, and such statement shall be the basis of the assessment and be known as the proposed assessment to be made by the city, village, or borough council, as hereinafter prescribed, and shall be laid before the city, village, or borough council for its approval at its next regular meeting to be held not less than 10 days thereafter. The clerk or recorder of the city, village, or borough shall thereupon cause notice of the time and place, when and where the city, village, or borough council will meet in regular session to pass upon such proposed assessment to be published in the official paper of the city, village, or borough at least 10 days prior to such meeting of the city, village, or borough council.

During all the time between the filing of such proposed assessment with the clerk or recorder of the city, village, or borough and such meeting of the city, village, or borough council, such proposed assessment shall be open to inspection and copying by all persons interested.

At such meeting of the city, village, or borough council, all persons aggrieved by such proposed assessment may appear before the city, village, or borough council and present their reasons why such proposed assessment or any particular item thereof should not be adopted, and the city, village, or borough council shall hear and pass upon all objections thereto, if any, and may alter or affirm and adopt such proposed assessment as shall be deemed just in the premises, and upon the adoption by resolution of such proposed assessment the same shall be certified by the clerk or recorder of the city, village, or borough, and filed in his office, and shall thereupon be and constitute the special assessment. The amounts assessed against each lot, piece, or parcel of land by such special assessment shall bear interest from the date of the adoption of such special assessment until the same have been paid, the rate of interest to be designated by a resolution of the city, village, or borough council at the time of the adoption of such special assessment, but not to exceed 6 per cent per annum, and such special assessment, with the accruing interest thereon, shall be a paramount lien upon the property included therein, from the time of the adoption of such assessment by the city, village, or borough council, and shall remain such lien until fully paid, and shall have precedence over all other liens, except general taxes, and as to such shall be concurrent, and shall not be divested or impaired by any judicial sale, and no mistake in the description of the property or in the name of the owner shall invalidate the lien.

The city, village, or borough council may at any time, by resolution, direct the clerk or recorder of the city, village, or borough to make up and file in the office of the county auditor a certified statement of the amount of all such unpaid assessments and the amount of interest which will be due thereon on the 1st day of January of the following year, and the clerk or recorder of said city, village, or borough shall, within 20 days thereafter, make up and file such certified statement in the office of the auditor of the county, which statement shall also contain a description of the lands affected by the assessment. Such resolution may also direct that such special assessment shall be payable in equal annual installments, not exceeding 10, and payable on the 1st day of January of each year, each of said installments to bear interest at the rate hereinbefore provided until fully paid, and the certified statement of the clerk or recorder shall in this case show the amount of each of such installments, the date when each installment becomes due, and the amount of interest to be paid on each installment in each year. After said statement is filed in the office of the county auditor it shall be the duty of such auditor to extend upon the tax roll of each year the amount of such assessment or installment thereof, as the case may be, and the amount of interest which will become due on the 1st day of January of the following year, as shown by said certified statement, against the different lots or parcels of land therein described, and such amounts when so extended each year shall be carried into the tax becoming due or payable in January of the following year, and enforced and collected in the manner



provided for the enforcement and collection of State and county taxes, and the assessments and interest paid to the county treasurer shall be paid over by him to the treasurer of such city, village, or borough upon the apportionment of general taxes.

*Provided*, That any person may at any time before the transmission of the certified statement of the clerk or recorder of such city, village, or borough to the county auditor, pay such special assessment as to any lot, piece, or parcel of land affected thereby, together with the interest accrued thereon at the date of such payment, to the city, village, or borough treasurer, and receive the proper receipt therefor, and the clerk or recorder of said city, village, or borough shall, upon the presentation of such receipt from said city, village, or borough treasurer, cancel upon the special assessment roll the special assessments so paid.

*Provided further*, That any person may pay any such assessment with accrued interest thereon after the same has been so certified to the county auditor, provided the tax roll containing such assessment has not in due course been delivered to the county treasurer for collection, and the receipt of such city, village, or borough treasurer shall be sufficient authority, upon presentation to the county auditor, for him to mark such assessment "paid" upon his roll, but after the roll has been delivered to the county treasurer for collection, the said assessment must be paid to him, with the penalties allowed by law. The same penalties and interest shall attach and be collected by the county treasurer on assessments as upon general taxes, which penalties and interest shall belong to the city, village, or borough, and to be turned over by the county treasurer to the city, village, or borough with the assessments.

SEC. 14. In case of omission, errors, or mistakes, in making such assessments in respect of the total cost of such improvement, or otherwise, it shall be competent for such city, village, or borough council to provide for and make supplemental assessments to correct such omission, errors, or mistakes; and such supplemental assessments shall be a lien as in case of the original assessment, drawing interest at the same rate, and be payable and enforceable in the same manner as is herein provided with respect to the original assessment.

SEC. 15. All moneys collected on any such special assessments shall constitute a fund for the payment of the cost of the improvement in the district for which such assessment was made, and the same shall be credited to the proper sewer district fund under the designation: "Fund of Sewer District No. —," and in anticipation of the collection of such special assessment the city, village, or borough may issue warrants on such fund, to be known as "sewer warrants," payable at such times and in such amounts as, in the judgment of the city, village, or borough council, the collections of such special assessments will provide for, which warrants shall bear interest at a rate not to exceed 6 per cent per annum, payable annually, and may have coupons attached representing each year's interest. Each warrant shall, upon its face, state for what purpose it is issued, and specify the particular fund against which it is drawn, and shall be signed by the mayor or executive officer, and countersigned by the clerk or recorder of the city, village, or borough, and be in denominations of not less than \$50 nor more than \$500. Such warrants may be used in making payments on contracts for the improvements, or may be sold by the city, village, or borough for not less than par, and the proceeds thereof used in paying for such improvement. It shall be the duty of the city, village, or borough treasurer, on presentation, to pay such warrants and interest coupons as they mature out of the proper sewer district fund, and to cancel the same when paid. If any such warrants shall become due, or any interest shall become due on any such warrant, when there are no funds to pay the same, the city, village, or borough council is hereby authorized to effect a temporary loan for the payment thereof.

SEC. 16. Any matured sewer warrant or interest coupon may be used in payment of any such special assessment on any particular property situate within the district.

for which such warrant or coupon shall have been issued; and the warrants and coupons so used shall be canceled and retired by the city, village, or borough treasurer.

Sec. 17. No conveyance of any land upon which any such special assessment or portion thereof remains unpaid shall be recorded until all of such special assessments shall have been paid in full, any provision in this act to the contrary notwithstanding.

Sec. 18. In all proceedings and records prepared or used in the making, levy, or collection of such special assessments, letters, figures, and proper ditto marks may be used to denote lots, pieces, and parcels of land, and blocks, sections, townships, ranges, and parts thereof, and dates.

Sec. 19. No error or omission which may be made in any of the proceedings of the city, village, or borough council, or any officer of such city, village, or borough, in refusing to, reporting upon, ordering, or otherwise acting, concerning any local improvement provided for in this act, or in making any such special assessment, or in levying or collecting the same, shall invalidate such assessment, unless it shall appear that by reason of such error or omission substantial injury has been done to the party claiming to be aggrieved.

Sec. 20. In all cases where any assessment, or any part thereof, as to any lot, lots, or parcels of land assessed under any of the provisions of this act, or of any law of any city, village, or borough prior to this act, for any cause whatever, whether jurisdictional or otherwise, shall be set aside, or declared void by any court, the city, village or borough council shall, without unnecessary delay, cause a reassessment or new assessment, to defray the expenses of such improvement, to be made, whether such improvement was made under this act or any laws of any city, village, or borough prior to this act, and such reassessment or new assessment shall be made as nearly as may be, as herein provided for making the assessment therefor in the first instance; and when the same shall have been made and confirmed by the city, village or borough council, it shall be enforced and collected in the same manner that other assessments are enforced and collected under this act, and in all cases where judgments shall hereafter be refused or denied by any court for the collection and enforcement of any special assessment, or where any court shall hereafter set aside or declare void any assessment upon any lot or parcel of land for any cause, the said lot or parcel may be reassessed or newly assessed from time to time, until each separate piece or parcel of land has paid its proportionate part of the cost and expenses of said improvement as near as may be.

Sec. 21. Nothing in this act shall affect any valid assessment made by any city, village, or borough prior to the passage of this act, but all such prior assessments shall be collected in accordance with the provisions of law in respect of the same in force prior to the passage of this act.

Sec. 22. The notice of the time and place when and where the city, village, or borough council will meet in regular session to adopt any proposed assessment under section 13 of this act, and to be prepared by the clerk or recorder of such city, village, or borough, and published, shall specify the particular sewer district or districts in which the improvement is to be made, and shall describe with all reasonable certainty the location, extent, and termini of the sewer or sewers to be laid, relaid, or extended; provided, that no omission or inaccuracy in such notice shall invalidate the notice or the assessment, unless substantial injury shall be shown by the person claiming to be aggrieved thereby.

When the city, village, or borough council shall meet for the purpose of adopting any proposed assessment under the provisions of Section XIII, of this act, no grievance or objection thereto, or to any item therein, shall be heard by the city, village, or borough council, unless the party objecting, or his duly authorized agent or attorney, shall on or before the date of such session of the city, village, or borough council, file with the clerk or recorder of such city, village, or borough for presentation to the city, village, or borough council, a complete written statement of the objection,

with specific reference to the matter or item or items called in question, and to which objection is made.

Sec. 23. Any person feeling himself aggrieved by such special assessment may, by notice in writing served upon the mayor or executive officer, and also upon the clerk or recorder of the city, village, or borough, a copy whereof, with proof of service, shall be filed in the office of the clerk of the district court of the proper county, within 20 days after the adoption of such special assessment, appeal from such special assessment to the district court aforesaid, and such appeal shall be disposed of in a summary manner by the court. And at the trial of such appeal no pleadings shall be required, but the party appealing shall in his notice of appeal specify and enumerate the particular grounds of his objection to such special assessment, and shall not be entitled to have considered on such appeal any grounds of objections or items other than those specified in such notice, and no question shall be tried on such appeal as to any fact which may have arisen or existed prior to the letting of the contract or contracts for the improvement; and a copy of the assessment roll in question and of the resolution of the city, village, or borough council confirming or adopting the same, certified by the clerk or recorder of the city, village, or borough, or the originals thereof, shall be prima facie evidence of the facts therein stated or denoted, and that such assessment was regular, just, and made in conformity to law, and the judgment of the court on the determination of such appeal shall be final. Such appeal shall be entered and brought on for hearing and be governed by the same rules as far as applicable as in appeals from justices of the peace in civil actions, and like bonds shall be given to the city, village, or borough by the person appealing as are required in the appeals from justices of the peace in civil actions, but such bond shall, to render such appeal effective, be approved by the judge of such district court: *Provided*, That no appeal to the district court shall be made, heard, or determined as to such special assessment, or any item therein, unless such objection shall have been, as in this act specified, previously presented to and passed upon by the city, village, or borough council.

Sec. 24. Whenever any such sewer shall be laid, relaid, or extended, it shall be the duty of the city, village, or borough council to maintain and keep the same in repair at the expense of the city, village, or borough.

Sec. 25. All private connections shall be made with lateral sewers, unless some insurmountable obstacle of a practicable or scientific nature shall prevent, and no private connection with any sewer whatever shall in any event be made without formal permission therefor granted by the city, village, or borough council, and the making of all private connections with any sewer shall be subject to supervision and control by the city, village, or borough council: *Provided*, That such supervision and control may be delegated by the city, village, or borough council to the city, village, or borough engineer or other person to be selected by the city, village, or borough council at its discretion.

Sec. 26. Whenever it shall become necessary for the city, village, or borough to exercise the right of eminent domain for the purposes included within this act, all proceedings therein shall conform as near as may be to the provisions of sections 2620 to 2632, both inclusive, of the General Statutes of 1894 and amendments thereto.

Sec. 27. This act shall not be construed as in any manner superseding, repealing, amending, or qualifying the provisions of any home-rule charter heretofore or hereafter adopted by any city or village under existing laws: *Provided*, That any proceedings taken or commenced by any city or village under the provisions of this act before the time when such home-rule charter shall take effect may be carried out and completed according to the terms and provisions of this act.

Sec. 28. All acts and parts of acts inconsistent with this act, except as qualified in section 27 hereof, are hereby in all things repealed.

**Advertisements—False or Misleading, Prohibited. (Chap. 309, Act Apr. 24, 1915.)**

**SECTION 1.** Any person, firm, corporation, or association who, with intent to sell or in anywise dispose of merchandise, securities, service, or anything offered by such person, firm, corporation, or association, directly or indirectly, to the public for sale or distribution, or with intent to increase the consumption thereof, or to induce the public in any manner to enter into any obligation relating thereto, or to acquire title thereto or any interest therein, makes, publishes, disseminates, circulates, or places before the public, or causes, directly or indirectly, to be made, published, disseminated, circulated, or placed before the public in this State, in a newspaper or other publication, or in the form of a book, notice, handbill, poster, bill, label, circular, pamphlet, or letter, or in any other way, an advertisement of any sort regarding merchandise, securities, service, or anything so offered to the public, which advertisement contains any assertion, representation, or statement of fact which is untrue, deceptive, or misleading shall be guilty of a misdemeanor.

**SEC. 2.** The duty of a strict observance and enforcement of this law and prosecution for any violation thereof is hereby expressly imposed upon the Dairy and Food Commission of the State of Minnesota; and it shall be the duty of the county attorney of any county wherein a violation of this act shall have occurred, upon complaint being made to him, to prosecute any person violating any of the provisions of this act.

## MISSISSIPPI.

### Diphtheria—Quarantine—Release From, of Persons Residing in House Where Disease Exists. (Reg. Bd. of H., Oct. 28, 1915.)

No member of a family, or other person or persons, residing in a house in which a case of diphtheria exists or has existed, shall be released from quarantine until at least one bacteriological examination has been made of swabs from the nose and throat, which shows that such person or persons are free from diphtheria organisms.

### Rabies—Notification of Cases. (Reg. Bd. of H., Feb. 4, 1915.)

Amendment to the rules and regulations governing morbidity reports:

SEC. 12. That the reporting of rabies, as required in section 2 of these rules and regulations, shall be that any physician who treats or examines any person that has been bitten, scratched, or otherwise having come in contact with an animal suffering from or suspected to be suffering from rabies in such manner that rabies may be contracted shall immediately report such fact to the county health officer of the county in which it occurred, giving the name of the person, the manner in which the person came in contact with the rabid or supposedly rabid animal, the age, color, or race, and the place at which it occurred: *Provided*, That when a person does not have the services of a physician, it shall be the duty of the person to make a report to the county health officer, as hereinbefore required of physicians: *Further provided*, That if this person is a minor, then it shall be the duty of the father or mother, or guardian, to report such fact to the county health officer, as hereinbefore required.

### Rabies—Control of—Muzzling of Dogs. (Reg. Bd. of H., Feb. 4, 1915.)

SECTION 1. Whenever animal rabies is known to exist in any county of the State of Mississippi, the secretary of the State board of health shall immediately notify the county health officer of the county in which infection exists, and when he may deem it necessary for the protection of the people he shall notify the county health officers of each adjoining county, and these rules and regulations as hereinafter provided shall be put into force in such county.

SEC. 2. When a county health officer is notified that rabies exists in his county or in adjoining county, it shall be his duty to promulgate these rules and regulations.

SEC. 3. Any person owning or having in his or her possession a dog or dogs shall be required to keep them securely within an inclosure for such period as the county health officer may designate any dog or dogs that he may own or have in his or her possession: *Provided*, That if it is not the desire of the owner or person having a dog or dogs in his or her possession to keep them secure within an inclosure, as hereinbefore required, that each such dog shall at all times wear a muzzle, constructed of metal, which shall prevent biting, shall permit of the dog opening its mouth, and shall be fitted to the dog, being changed from time to time, if necessary, with the animal's growth, except at such time as necessary to water or feed the dog or dogs.

SEC. 4. It shall be the duty of all persons to report to the county health officer the existence of any animal suffering from, or suspected to be suffering from, rabies of which he or she may have knowledge.

SEC. 5. It shall be the duty of all police officials, and any citizen may kill or otherwise destroy any and all dogs that are found running at large, unmuzzled, within the area in which these rules and regulations are in force.

SEC. 6. It shall be the duty of the county health officer when notified that animal rabies exists or is suspected to exist in his county to immediately make an investigation and furnish the secretary of the State board of health with all information desired.

SEC. 7. It shall be the duty of the county health officer in each county in which these rules and regulations are in force to make a report each week to the secretary of the State board of health. Such reports are to be made until such time as the secretary of the State board of health may deem it wise to withdraw the enforcement of these rules and regulations from such county.

SEC. 8. These rules and regulations are adopted under the authority vested in the State board of health by section 2489 of the Mississippi Code of 1906.

**Rabies—Shipment of Heads of Animals by Express. (Reg. Bd. of H., Feb. 4, 1915.)**

SECTION 1. That no express company, or its agent, shall accept for transportation the head of a dog or any other animal unless it shall have been prepared for shipment as hereinafter provided.

SEC. 2. That the head of a dog or other animal shall be placed in a tin or other metal container which will not permit the leakage of fluids. Such container shall be placed in a second wooden or metal container with ice packed around it and so constructed that it will not permit the leakage of the ice water resulting from the melted ice.

SEC. 3. That all such packages shall be labeled as follows: "Caution! This package contains the head of a dog (or name of other animal) suspected to have died of hydrophobia."

SEC. 4. That any express company that accepts the head of a dog or other animal for transportation prepared other than hereinbefore required shall, upon conviction, be deemed guilty of a misdemeanor and subject to the penalty as provided by statute.

SEC. 5. These rules and regulations are adopted under the authority vested in the State board of health by section 2489 of the Mississippi Code of 1906.

**Privies—Owners of Property to Provide. (Reg. Bd. of H., Oct. 28, 1915.)**

That the owner or owners of all property rented or leased shall provide at each home located on such property a sanitary privy which conforms to the requirements of the State board of health.

**Poorhouses, Paupers' Homes, and Pesthouses—Sanitary Regulation. (Reg. Bd. of H., Jan. 26, 1915.)**

1. It shall be unlawful for any board of supervisors, board of aldermen, or city commissioners to own, maintain, or support, in whole or in part, any poorhouse, paupers' home, or pesthouse, except under the following regulations for the protection of inmates therein against contagious and infectious disease, and for the humane treatment of all inmates.

2. A poorhouse, paupers' home, or pesthouse must be kept in a clean condition, in good repair, painted white inside, screened, well lighted and ventilated, and properly heated.

3. The fireplaces or heaters in a poorhouse, paupers' home, or pesthouse must be so arranged with metal bars surrounding them as to prevent the inmates from falling against heaters or in the fireplaces.

4. Excelsior, hay, or straw mattresses will not be allowed in poorhouses or paupers' homes, but cotton mattresses must be used instead. Blankets, comforts, and sheets must be kept clean. Iron beds or hammocks to be used. The room must be kept

free from worn-out bedding, old clothing, plunder of any description, such as empty cans, boxes, etc.

5. Efficient bathing facilities must be furnished in each poorhouse, paupers' home, or pesthouse, and all inmates thereof be bathed at regular intervals so as to be kept in a cleanly condition at all times, and must be furnished with clean clothing. An abundant supply of wholesome, well-cooked food must also be furnished all inmates of poorhouses, paupers' homes, or pesthouses. Necessary care must be given those sick, in the preparation of foodstuff, as may be directed by the State board of health or their representative.

6. The water supply for poorhouses, paupers' home, or pesthouses must be pure and unpolluted, care being exercised that the pump or well is so located as not to become infected from toilets. If water is supplied from a well, the same must be kept carefully covered, so as to prevent the breeding of mosquitoes.

7. Sufficient toilet facilities must be furnished each poorhouse, paupers' home, or pesthouse. Where no waterworks are available, there must be furnished a thoroughly screened fly-proof closet, built in accordance with the rules and regulations of the State board of health. At least one closet must be maintained for each race and sex.

8. No person suffering with consumption or any other contagious or infectious disease shall be placed in a room or any poorhouse, paupers' home, or pesthouse with any other person, except those suffering with a like disease, without authority from the State board of health or its authorized representatives; nor shall more than one person occupy the same bed in any room at any time.

9. When any poorhouse, paupers' home, or pesthouse is kept without complying with these regulations, the officials responsible for same, boards of supervisors, city commissioners, or boards of aldermen shall be proceeded against according to section 2511, chapter 64, laws of 1906.

## MISSOURI.

### **Tuberculosis Hospitals—Counties Authorized to Erect—Appointment and Duties of Hospital Commissioners. (Act Mar. 22, 1915.)**

**SECTION 1.** *Indebtedness for tuberculosis hospital, how incurred.*—Whenever 5 per cent of the legal voters of any county in the State of Missouri, as ascertained by the entire number of votes cast in said county for all the candidates for governor at the last preceding general election, shall petition in writing the county court of such county to create or increase the bonded indebtedness of such county to any extent within the constitutional limits, for the purpose of acquiring funds for buying lands and for erecting buildings and enlarging and equipping the same, to be used for a tuberculosis hospital and dispensary, the county court of such county shall submit at a special election to be held in every precinct in such county, and on a day to be fixed by the county court within 90 days after said petition shall have been presented to said county, such proposition to the qualified voters of such county, which election shall be held and notice thereof given in all respects as other elections for the issuance of bonds by any county for the purpose of erecting public buildings authorized by law, and said election shall be held and said bonds shall be issued in accordance with the provisions of sections 1260 to 1269, inclusive, of article 5 of chapter 15 of the Revised Statutes of Missouri of 1909 or any subsequent amendment thereof.

Such petition shall contain the name and address of each petitioner, who in every case shall be a qualified voter of the county. If two-thirds of the legal voters within such county voting at said election on said proposition shall vote in favor of creating or increasing such indebtedness, the same shall be thereby duly authorized and bonds shall be issued by such county court in the amount authorized at such election. From and after the time of the issuance of the bonds so authorized, the county court of such county shall include in the annual tax levy a tax sufficient to pay the interest as it matures on all such outstanding bonds, and also to pay and discharge the principal of such bonds within 20 years from the date of their issuance, and no bond shall be issued by any such county which shall not mature within 20 years from the date of their issuance, nor shall the rate of interest on any such bond so issued exceed 5 per cent per annum, nor shall the county court sell any bonds bearing a rate of interest of 5 per cent for less than par, nor shall any bonds so issued and sold be listed for the purpose of taxation for county, city, or school purposes in any county issuing them.

**SEC. 2.** *Two-thirds majority; court authorized to issue bonds, etc.; tuberculosis hospital commissioners; qualifications, appointment, term, duties of.*—Within 60 days after such election has been held, if two-thirds of the legal voters of the county voting on said proposition, have voted in favor of the proposition to issue bonds for the erection and equipment of a tuberculosis hospital, the county court shall be authorized to issue and sell said bonds to the highest and best bidder, and shall appoint five persons who shall constitute a board to be known as the board of tuberculosis hospital commissioners. A majority of said board shall constitute a quorum and shall be authorized to transact the business of the board. Said board shall have exclusive control of all moneys collected to the credit of the tuberculosis hospital fund, and of the supervision, care, and custody of such hospital, and all moneys received for such hospital purposes, whether by sale of said bonds or by an appropriation from the taxes collected annually in each county for the maintenance and support of said hospital, or from any other source, shall be turned over to the treasurer of said board and shall be duly



accounted for in monthly and annual reports made to said board, a copy of which shall be filed with the clerk of the county court. Said commissioners shall serve without compensation except actual traveling and incidental expenses incurred in the performance of their duties. They shall have resided in such county for at least three years prior to their appointment, shall be known for their intelligence, business qualifications, and integrity, and shall be especially interested in the purposes of said hospital, either because of scientific knowledge in the prevention of tuberculosis or because of their beneficent attitude toward those afflicted with tuberculosis, and shall be selected without regard to their political affiliations; and not fewer than two of them shall be women nor fewer than two of them shall be men. ~~and not fewer than two of them shall be men.~~

The commissioners first appointed shall serve respectively for one, two, three, four, and five years from the date of their appointment, and the term of each shall be fixed by the order of the county court appointing them, and all such commissioners after the first appointment shall be appointed for the full term of five years, except that in case of a vacancy, occurring from death, resignation, removal from the county, or removal for cause, a commissioner shall be appointed to fill the remainder of said term. The commissioners shall meet within 60 days after the date of appointment and shall elect one of their number to be chairman of said board, another to be vice chairman, and another to be secretary, for a period of one year, and thereafter annually said officers shall be elected by said board. Said board shall annually elect a treasurer who shall not be a member thereof, and shall require him to give a bond, to be approved by the prosecuting attorney of the county and by the county court, in a sufficient sum to secure the faithful keeping and accounting for of all moneys which may come into his hand, and shall fix his compensation for the services to be rendered. Said board of tuberculosis hospital commissioners shall have power and it shall be its duty to administer all affairs pertaining to the maintenance of said tuberculosis hospital and dispensary, including the control and direction of all officers and employees of said hospital and dispensary, and to establish the rules and regulations for the control and restraint of all patients of such hospital and dispensary, and otherwise to perform all acts needful for the proper execution of the powers and duties granted and imposed upon said board by the provisions of this act. Said board shall have power to employ a superintendent, or a superintending physician, or a superintending nurse; and such other nurses and employees as it deems necessary for the proper care of the hospital and its inmates and shall fix their respective salaries and compensation; but all expenses for such employees and the necessary maintenance of such hospital to be incurred or paid shall be kept within the limits of the annual income of said hospital. All nurses so employed shall be lawfully licensed or registered according to the laws of the State. Any such employee may be removed by said board at any time if in its judgment such removal will promote the economic administration or best interests of said hospital, preference being given to nurses who have had training in a public tuberculosis hospital or sanatorium.

Said board shall also have power to prescribe rules and regulations for the sanitation, disinfection, and healthful conditions of said hospital, and the kind of clothes to be worn by the inmates and attendants and the foods to be eaten by said inmates, and make other regulations pertaining to fresh air and healthful surroundings as to them may seem most helpful to the treatment of tuberculosis patients. No expense or debt of any kind shall be incurred by the superintendent or any nurse or employee of said hospital except upon the authority of said board, and said board shall require the superintendent or some other employee to keep a faithful account of all expenses of every kind incurred in the maintenance of said hospital. Said board shall make an annual report to the State board of charities, showing the number of patients or inmates in said hospital and the manner of caring for and treating them, and any other beneficial information; and such State board of charities shall furnish to said hospital board any beneficial or scientific information it may consider would be helpful to such hospital board in conducting same.

The said board shall establish an office in its county where all records, papers, and documents of such board shall be kept open for public inspection during all reasonable hours, to be fixed by said board. It shall hold a regular meeting on the first Monday of each month, in the office so established, except that by unanimous consent said board may meet at any place in the county and without notice, and transact any such business as may be transacted at any regular meeting. The board shall also hold an annual meeting the first Monday of January of each year, and at said time require an annual certified report to be made to the county court and to the governor of the State, embracing a full statement of the number of patients of all kinds, the amount of moneys received within the preceding year, and from what sources, and how expended, and especially the number of charity patients and the moneys received from the State and from the county therefor.

*Sec. 3. Disposition of proceeds; bond of treasurer; construction or improvement of buildings and purchase of land, etc.*—The proceeds derived from the sale of any hospital bonds sold by the county court shall be turned over to the treasurer of said board, after said treasurer shall have been elected and shall have given a satisfactory bond as hereinbefore provided, and said board of tuberculosis hospital commissioners shall have power and it is hereby made the duty of said board to plan and erect all necessary buildings, to enter into contract for the construction of same, to make all necessary improvements and repair or alter any existing buildings, for the use of a hospital or dispensary, and said board shall select and designate land to be used and appropriated for such purposes, and may lease, condemn, or otherwise acquire in the county, land for said tuberculosis hospital and dispensary. Such board, before entering into any contract for the expenditure of any sum of money in excess of \$500, shall advertise for bids for such work or supplies for at least five consecutive issues in a newspaper published daily within the county or for at least two consecutive issues in a newspaper published weekly in such county. The treasurer of said board shall pay out no money for any purpose except on vouchers signed by its chairman and attested by its secretary, and no such voucher shall be so signed or attested until authorized by the board by a resolution or report entered on its record; and a voucher so signed and attested shall be the treasurer's authority for paying the same.

*Sec. 4. Bonds; by whom sold; form of; proceeds, how to be used.*—Said county court shall sell said bonds at the best price obtainable, and said bonds shall run in the name of the county and be signed by the presiding judge, and attested by the clerk, and the seal of the county, and shall be designated as tuberculosis hospital bonds, and the proceeds thereof shall be used for the purpose of acquiring lands, planning and erecting a hospital and dispensary and other buildings necessary for a complete tuberculosis hospital and the equipment thereof or in making additions thereto, and in preparing, grading, draining, beautifying the grounds on which the same are located or appurtenant thereto, and for no other purpose.

*Sec. 5. Purchase of property for hospital; may be condemned how.*—Just compensation shall be paid for all property taken for the establishment of such hospital and the improvements or additions thereto. When the board of commissioners and the owner of any land or other property desired for the uses of said hospital can not agree upon the price thereof, the same may be condemned in the manner prescribed by sections 2360 to 2369, inclusive, or article 2 of chapter 23 of the Revised Statutes of Missouri of 1909. In case there shall be located upon any land acquired by said board, either by purchase or condemnation, any building or other improvements not suited for hospital purposes, the board shall have power to sell the same and the proceeds thereof shall be turned over to the treasurer of said board.

*Sec. 6. Patients, how admitted; board to determine whether private or charity patients; nonresident patients admitted, when.*—Any person who shall be a resident of any county which has erected and is maintaining a hospital under the provisions of this act, shall be eligible as a patient or inmate of said hospital, providing that said person shall

have been declared tuberculosis [tubercular] and in a relatively advanced stage of tuberculosis, by the county health officer or by a physician licensed by this State, resident within the county. Said board of commissioners shall have the power to determine whether or not the person applying or being presented at such hospital for treatment as a patient is a subject of charity, and it shall fix such a price or compensation for the keeping and all services to be rendered to patients other than those declared subjects of charity by said board, the receipts therefrom to be paid monthly to the treasurer of the board upon accounts rendered and credited to the hospital fund, and shall be available for use in the maintenance and repair of such hospital. The board may also admit tuberculous persons residing outside of the county anywhere within the State on the payment of a monthly compensation to be fixed by said board, and all moneys so obtained shall be applied as in the case of other pay patients.

SEC. 7. *Support of charity patients; private patients; appropriation.*—The State of Missouri shall pay \$5 per week each for the support of all patients admitted to such hospital and maintained therein, and who have been designated by said board of commissioners as subjects of charity, and all costs for the maintenance of charity patients in excess of \$5 per week shall be paid by the county from its current revenue, upon orders or vouchers rendered to the county court by the hospital board. All patients of such hospital who are not subjects of charity shall pay such sum for their support and maintenance as they are able to pay as determined by the judgment of said board, and the State of Missouri shall pay such additional amount as may be necessary to compensate the board for their support and maintenance, but not to exceed the sum of \$5 per week per patient. The general assembly shall at each biennial period make an appropriation out of the general revenue fund of the State sufficient in amount to meet its obligations to any such county hospital as hereinabove designated; and the sum of \$10,000 is hereby appropriated and set aside out of the general revenue fund of the State for said purposes for the biennial period of 1915-16. The chairman and secretary of such board of commissioners shall make report to the treasurer of said board, once per month, giving the names and number of patients in such hospital and indicating which patients are subjects of charity and the amount necessary for the State to pay. The treasurer of said board shall issue a voucher to the State auditor, giving this information; and the auditor shall draw his warrant on the State treasurer for the amount shown by such statement, and the State treasurer shall pay said warrant to the treasurer of said board of tuberculosis hospital commissioners; and the county court, in any county in which said hospital shall be established, shall authorize and issue the warrant of the county payable out of the current revenue of the county, in favor of the treasurer of said board, for the payment of the costs of all charity patients kept and treated therein, in excess of \$5 per week, as hereinabove provided, upon a like voucher presented to said court by said treasurer of said tuberculosis hospital.

SEC. 8. *Grants, devises of lands, gifts or bequests of moneys or personal property; who authorized to receive and hold, etc.*—The county court of any county in which a tuberculosis hospital has been established is hereby authorized to receive and to hold in trust for the board of tuberculosis hospital commissioners of such hospital any grant or devise of land or any gift or bequest of money or other personal property, as an endowment of such hospital, and if money, or if other personal property to convert the same into money, and to loan the same at the best rate of interest obtainable, regard being had for the safe-keeping and permanency of said fund, and to turn over the net annual income from any such real estate or from any money loaned, to said hospital board; or, if advisable, to sell any such real estate and convert the same into money and loan it as aforesaid; or if not sold to authorize said board to rent or lease the same and receive the income therefrom. In case of sale of any real estate so given or devised a complete conveyance thereof may be made by an order spread

upon the records of the county court and a deed signed in pursuance thereto by the presiding judge and attested by the county clerk. Any such real estate or personal property so given shall be used inviolate for the purposes of said hospital, unless otherwise designated in writing by the donor.

**Tuberculosis—Appointment of Nurses—Disinfection of Premises. (Act Mar. 24, 1915.)**

SECTION 1. *County courts and cities authorized to employ trained nurses; disinfection of certain places infected with tuberculosis, etc.*—In case any antituberculous [sic] society or association or any antituberculous [sic] committee of any other society or association, appointed and organized for the purpose of preventing, restricting, or controlling the spread of tuberculosis in this State, considers it necessary to secure the aid and services of a visiting tuberculosis nurse or to disinfect any building, residence, or room in any hotel or dormitory, or other place in such city or county infected with tuberculosis, such society or such committee shall make formal written report of such fact to the county court or mayor of any city of the second, third, or fourth class, or both such court and mayor, and therein recommend the course of action necessary and advisable to be taken in relation thereto to prevent the spread of tuberculosis; and in case said report is made to the mayor of any such city he shall lay the same before the city council at its next meeting, and the said city council and the said county court, at its next meeting after said report has been made as aforesaid, shall consider said report and recommendation and act upon it, and such city council and county court shall each be authorized to employ, at a fixed monthly compensation, a trained nurse, qualified for such service by registration as such according to the laws of this State, to visit any family home, boarding house, dormitory, or club in which is a member or members, a person or persons afflicted with tuberculosis and, upon the consent of such person or family, or parent or guardian if a minor, to assist in nursing said person and to advise such person and the persons or members of the family, boarding house, dormitory, or club as to the proper methods to be pursued to prevent the spread of tuberculosis; and also to authorize some other proper person or persons to visit and disinfect any building, residence, room in any hotel or dormitory or other place therein infected with tuberculosis, upon the consent of the owner thereof.

SEC. 2. *Disinfection of places infected with tuberculosis; how enforced.*—When the owner or occupant of any building, residence, room in a hotel, or dormitory or other place designated in the report or written statement contemplated by the preceding section, refuses to consent that the same be disinfected by the person designated by the city or county court, report of that fact shall be made by such person to the mayor, if such person was appointed by the mayor, and to the county court, if such person was appointed by said court; and thereupon the mayor or the county court shall have power and it shall be his or their duty, either by the taking of testimony or a personal inspection of the place charged to be infected, to make an examination into the truth of the statements contained in said reports and determine whether said place is infected with tuberculosis; and if it is found to be so infected it shall be the duty of the mayor or of the county court, as the case may be, by a written order of the mayor, and by an order spread upon its record if the county court, to appoint some proper person to disinfect said place, designating in said order the building, residence, room in the hotel, or dormitory or other place to be disinfected, and said written order of the mayor or a copy of said order of the county court, under its seal, shall be furnished to said person and shall be his authority to enter upon said premises and to disinfect the same in a proper manner, using such force as may be necessary to accomplish that purpose, proper regard being had for the rights of the owner or occupant of said premises and the beneficent purposes to be accomplished; and any needless interference by the owner or occupant of said premises or by any other person with the person so appointed,

in the performance of the duties required of him by said order, shall be a misdemeanor, and shall be punished in the manner provided by law for interference with an officer in the performance of his duties.

SEC. 3. *Money to carry out provisions of act may be appropriated from what fund.*—The county court or city council in any such city shall have power to appropriate money out of the current revenues of the county or city, as the case may be, for the purpose of carrying out the provisions of this act.

SEC. 4. *City council or county court to provide for appointment of nurses and disinfection of infected places on petition.*—In case a petition is signed by 250 taxpayers and presented to any city council of the second, third, or fourth class or any county court, asking for the appointment of a trained nurse or nurses, or that any place infected with tuberculosis be disinfected, as designated in section 1 of this act, it shall be the duty of said city council or county court, as the case may be, to provide for the appointment of said nurse or nurses and for the disinfecting of any infected place, and to pay for the same as provided in section 3 hereof.

#### **Food-Producing Establishments—Sanitary Regulation—Protection of Foodstuffs. (Act Mar. 20, 1915.)**

SECTION 1. *Contents of places and utensils used must be protected.*—That section 2 of an act approved March 30, 1911, as found on page 259 of the session acts of 1911, is hereby amended by striking out the words: "*Provided, That in such display the bottom of the container be at least 18 inches above the surface of the sidewalk,*" and that said section as amended shall read as follows:

"SEC. 2. The floors, sidewalks, ceilings, lockers, closets, furniture, receptacles, implements, and machinery of every establishment or place where food is manufactured, packed, stored, sold, or distributed, and all cars, trucks, and vehicles used in the transportation of food products shall at no time be kept in an unclean, unhealthy, or insanitary condition, and for the purpose of this act, unclean, unhealthful, and insanitary conditions shall be deemed to exist if food in the process of manufacture, preparation, packing, storing, sale, distribution, or transportation is not securely protected from flies, dust, dirt and, as far as may be necessary, by all reasonable means from all other foreign or injurious contamination; and if the refuse, dirt, and waste products, subject to decomposition and fermentation incident to the manufacture, preparation, packing, storing, selling, distributing, and transporting of food, are not removed daily; and if all trucks, trays, boxes, baskets, buckets, and other receptacles, chutes, platforms, racks, tables, troughs, shelves, and all knives, saws, cleavers, and other utensils, and machinery used in moving, handling, cutting, chopping, mixing, canning, and all other processes are not fairly cleaned daily; and if the clothing of operatives, employees, clerks, or other persons therein employed is unclean.

"The placing of vinegar or other liquid, used as food or drink, in open vessels without covering the same is forbidden. The use of second-hand bottles for vinegar or other liquids, used as food or drink, is forbidden unless the same are first sterilized with live steam. The sidewalk display of food products is prohibited unless such products are inclosed in a showcase or similar device, which will protect the same from flies, dust, or other contamination: *Provided, That food products that necessarily have to be peeled, pared, or cooked before they are fit for consumption may be displayed on the sidewalk; but the sidewalk display of meat or meat products is prohibited.*"

#### **Habit-Forming Drugs—Sale and Dispensing. (Act Mar. 24, 1915.)**

SECTION 1. *Cocaine, opium, and certain other drugs not to be sold or given away except upon prescription; not to apply to wholesale dealers.*—Amend section 5786, chapter 42, Revised Statutes of Missouri, 1909, by inserting the words "or opium, morphine, codeine or heroin" between the word "thereof" in the fourth line and the word

"excepting" in the fifth line of said section, and by inserting the words "or opium, morphine, codeine or heroin" between the words "containing cocaine" and the word "a" in the eleventh line of said section, and by inserting the words "opium, morphine, codeine and heroin" between the words "cocaine" and "contained" in the twelfth line: *Provided*, That the provisions of this section shall not be construed to apply to the sale, distribution, giving away, dispensing, or possession, of preparations and remedies, which do not contain more than 2 grains of opium, or more than one-fourth of a grain of morphine, or more than one-eighth of a grain of heroin, or more than 1 grain of codeine, or any salt or derivative of any of them, in 1 fluid ounce, or, of a solid or semisolid preparation, in 1 avoirdupois ounce, or to liniments, ointments, or other preparations which are prepared for external use only, except liniments, ointments, and other preparations which contain cocaine or any of its salts: *Provided*, That such remedies and preparations are sold, distributed, given away, dispensed, or possessed as medicines and not for the purpose of evading the intentions and provisions of this act, so that said section when so amended shall read as follows:

"Sec. 5786. It shall not be lawful for any druggist or other person to retail or sell or give away any cocaine, hydrochlorate or other salts of or any compound of cocaine, or preparations containing cocaine, or any salt of or any compound thereof, or opium, morphine, codeine or heroin, excepting upon the written prescription of a licensed physician or licensed dentist, or licensed veterinary surgeon, licensed under the laws of the State, which prescription shall only be filled once: *Provided*, That the provisions of this section shall not apply to sales in the usual quantities at wholesale, by any manufacturer or wholesale dealer when such manufacturer or wholesale dealer shall have affixed to the box, bottle, or package containing such cocaine, hydrochlorate or other salt or compound of cocaine or preparation containing cocaine, or opium, morphine, codeine, or heroin, a label specifically setting forth the proportion of cocaine, opium, morphine, codeine and heroin contained in any preparation: *Provided*, That the provisions of this section shall not be construed to apply to the sale, distribution, giving away, dispensing, or possession of preparations and remedies which do not contain more than 2 grains of opium, or more than one-fourth of a grain of morphine, or more than one-eighth of a grain of heroin, or more than 1 grain of codeine, or any salts or derivative of any of them in 1 fluid ounce, or if a solid or semisolid preparation, in 1 avoirdupois ounce, or to liniments, ointments, or other preparations which are prepared for external use only, except liniments, ointments, and other preparations which contain cocaine or any of its salts: *Provided*, That such remedies and preparations are sold, distributed, given away, dispensed, or possessed as medicines and not for the purpose of evading the intentions and provisions of this act."

#### **Births and Deaths—Registration of—Fees for Local Registrars. (Act Mar. 23, 1915.)**

SECTION 1. *Fees for local registrars.*—That section 6683 of article 2 of chapter 53 of the Revised Statutes of Missouri of 1909, as amended by an act of the Forty-sixth General Assembly of the State of Missouri, entitled "An act to amend section 6683 of article 2 of chapter 53 of the revised statutes of 1909, entitled 'Registration of births and deaths,' by adding certain words, with an emergency clause," be and the same is hereby amended by striking out the following, to wit:

"All amounts payable to registrars under provisions of this section shall be paid by the treasurer of the county in which the registration districts are located, upon certification by the State registrar. And the State registrar shall annually certify to the treasurers of the several counties the number of births and deaths registered, with the names of the local registrars and the amounts due at the rate fixed herein"—

And inserting in lieu thereof the following, to wit:

"The amounts of money due and payable to the registrars under the provisions of this section shall be certified to the county courts, which courts shall pay the same by warrant drawn upon the county treasurer and payable out of the contingent fund

of the county. The State registrar shall annually certify to the county courts of the several counties the number of births and deaths registered, with the names of the local registrars and the amounts due at the rate fixed therein"—

So that when said section is so amended will read [sic] as follows:

"Sec. 6683. *Fees for local registrars.*—Each local registrar shall be entitled to be paid the sum of 25 cents for each birth and death certificate properly and completely made out and registered with him and correctly copied and duly returned by him to the State registrar, as required by this article, and in case no births or deaths were registered during any month, the local registrar shall be entitled to be paid the sum of 25 cents for each report made to that effect, promptly made in accordance with this article.

"The amounts of money due and payable to the registrars under the provisions of this section shall be certified to the county courts, which courts shall pay the same by warrant drawn upon the county treasurer and payable out of the contingent fund of the county. The State registrar shall annually certify to the county courts of the several counties the number of births and deaths registered, with the names of the local registrars and the amounts due at the rate fixed therein: *Provided, however,* That in cities having a population of 100,000 or over, where health officers or other officials are conducting effective registration of births and deaths under local ordinances, such officers being continued as registrars in and for such cities as provided in section 6667, and being paid by such cities salaries for their official services, said officers shall not be entitled to nor have power to collect any fee provided for in this section, but such salaries shall be in full compensation also for their services as registrars: *Provided further,* That such cities shall provide the office accommodations, clerical help, office furnishings, and supplies necessary to enable such officer to properly perform the duties of registrar."

**Domestic Animals—Running at Large—Boards of Trustees in Towns and Villages May Regulate or Prohibit. (Act Mar. 22, 1915.)**

SECTION 1. *Amending article 6, chapter 84, by adding a new section thereto.*—That article 6 of chapter 84 of the Revised Statutes of 1909, relating to towns and villages, be amended by inserting the following section after section 9436 in said article 6 of chapter 84.

Sec. 9436a. *Restraining domestic animals from running at large; impounding and selling same.*—In addition to the power already possessed by towns and villages under this article to restrain domestic animals from running at large within their corporate limits, such towns and villages may, through their board of trustees, regulate or prohibit the running at large of cattle, hogs, horses, sheep, goats, mules, asses, and other domestic animals, and cause such as may be running at large to be impounded and sold in such manner and time as may be provided by ordinance; such trustees may provide fees for restraining and impounding such animals to be paid by the owners and may also provide penalties for the owners who allow or permit such animals to run at large. The said trustees may also provide for the erection of all needful pens, pounds, and buildings for the use of such town or village, within or without the limits thereof, and appoint and compensate keepers thereof and establish and enforce rules governing the same.

**Diseased Cattle—Appraisement of—Compensation of Owners—Veterinarian and Deputies—Salaries. (Act Mar. 24, 1915.)**

SECTION 1. *Appraisement may be made, how; stock may be killed, when; claim may be paid, how.*—That sections 714 and 726, article 9, chapter 4, Revised Statutes of Missouri, 1909, be, and the same are hereby, repealed and the following two new sections enacted in lieu thereof:

Sec. 714. Whenever a county court or a court of criminal correction, or other court mentioned in section 712, in session, shall find from the evidence presented by any

citizen of this State, as provided for in section 713 of this article; that said citizen is the proprietor of any animal affected with glanders, *maladie du coit*, contagious pleuro-pneumonia, rinderpest, tuberculosis, or contagious foot and mouth disease, and that said animal is in quarantine under this article, and that said animal became so diseased accidentally, and not through any inhuman or gross and willful neglect or scheming on the part of said proprietor; that said diseased stock was not already diseased when it came in possession of said proprietor, and that said diseased stock did not come already affected with said disease from another State or from any territory or from any other country; that said diseased stock had not been exposed outside of Missouri three months prior to its importation in this State to any of the said contagious or infectious diseases, it shall be the duty of the said court to appoint three disinterested parties, who shall be stockowners, to go and appraise said diseased and quarantined stock; said appraisers shall proceed to the locality where said quarantined stock shall be, and there make an appraisement, taking into consideration the condition of said stock, also the disease with which it is affected, in determining its value, and immediately report the same, in writing, to said court.

The amount paid on any appraisement of any nonregistered animal for any disease for which indemnity may be paid under this section shall not exceed \$40 for each animal, and the appraisement for any registered, pure-bred animal shall not exceed \$200 for each animal. Except in cases of cattle quarantined on account of tuberculosis and coming under section 715, the sheriff shall accompany said appraisers, and shall, after appraisement, kill said stock and order the same burned or buried by the proprietor, and he shall embody a description of said animals with the report of the appraiser to said court. Said court, upon receipt of such appraisement, shall report the same to the governor, and the governor shall indorse thereon his order to the State auditor for the payment of the same; thereupon the State auditor shall issue his warrant for the same on the State treasurer. (R. S. 1899, sec. 10549, amended, laws 1909, p. 899.)

SEC. 726. *Salaries of veterinarian and deputies.*—The State veterinarian, deputy State veterinarians, and live-stock inspectors shall receive salaries fixed by the State board of agriculture and necessary traveling expenses in the discharge of official duties, payable out of the funds provided for the maintenance of the veterinary service. The State veterinarian, deputies, and live-stock inspectors shall each render an itemized account to the said board of agriculture of all the traveling and incidental expenses incurred in working under this law. Said account or accounts shall be audited, and if found correct, shall be allowed as is now or may hereafter be provided by law.

**Lead and Zinc Mines—Owners or Operators to Provide Dressing Rooms for Employees. (Act Mar. 23, 1915.)**

SECTION 1. *Amending article 2, chapter 81, R. S. 1909, by adding a new section thereto.*—That article 2, chapter 31, [81] of the Revised Statutes of Missouri for the year 1909, be, and the same is hereby, amended by adding a new section thereto, to be known as section 8469b, providing dressing rooms for employees of all owners and operators of lead and zinc mines, which section shall read as follows:

"SEC. 8469b. *Dressing rooms to be provided; equipment; inspection; penalty.*—It shall be the duty of every owner or operator of any zinc or lead mine in the State of Missouri to provide and maintain a room or building of sufficient size and dimensions and properly equipped for the use of employees of said mines as a dressing room, and for the purpose of changing, keeping, and storing their clothes and dinner pails. Said room shall be equipped with lockers with lock and key, and said employees shall be permitted to store their clothing and dinner pails in said lockers. Sufficient washing conveniences shall be provided in said room or building for the use of said employees, and sufficient benches or seats shall be provided for the use of employees in said room or building; and said room or building shall at all times be properly



heated and shall be kept in a clean and sanitary condition. It shall be the duty of the mine inspector to see that the provisions of this section are properly enforced. Any person, firm, or corporation operating a lead or zinc mine in this State failing to comply with the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum of not less than \$5 or more than \$25."

**Lead and Zinc Mines where 10 or More Men are Employed—Sanitary Drinking Devices to be Supplied. (Act Mar. 23, 1915.)**

SECTION 1. *Amending article 2, chapter 81, by adding a new section thereto.*—That article 2, chapter 81, Revised Statutes of Missouri, 1909, be, and the same is hereby, amended by adding one new section thereto, to be known as section 8469c, which said section shall read as follows:

"SEC. 8469c. *Sanitary drinking devices.*—Every owner, agent, or operator of any lead or zinc mine in this State employing 10 or more men shall provide sanitary drinking devices for the use of their employees."

**Advertisements—Untrue, Deceptive, or Misleading, Prohibited. (Act Mar. 22, 1915.)**

SECTION 1. *Publication, dissemination, or circulation of untrue, misleading, or deceptive advertisements; misdemeanor; penalty.*—Any person, firm, corporation, or association who, with intent to sell or in anywise dispose of merchandise, securities, service, or anything offered by such person, firm, corporation, or association, directly or indirectly, to the public for sale or distribution, or with intent to increase the consumption thereof, or to induce the public in any manner to enter into any obligation relating thereto, or to acquire title thereto, or an interest therein, makes, publishes, disseminates, circulates, or places before the public; or causes, directly or indirectly, to be made, published, disseminated, circulated, or placed before the public, in this State, in a newspaper or other publication, or in the form of a book, notice, handbill, poster, bill, circular, pamphlet, or letter, or in any other way, an advertisement of any sort regarding merchandise, securities, service, or anything so offered to public, which advertisement contains any assertion, representation, or statement of fact which is untrue, deceptive, or misleading, shall be guilty of a misdemeanor, and shall upon conviction thereof be punished by a fine of not less than \$25 nor more than \$500, or by imprisonment in the county jail not less than 10 days nor more than 90 days, or by both such fine and imprisonment: *Providing*, That nothing herein shall apply to any proprietor or publisher of any newspaper or magazine who publishes, disseminates, or circulates any such advertisement without the knowledge of the unlawful or untruthful nature of such advertisement.

## MONTANA.

### Chicken-Pox—Made Notifiable. (Reg. Bd. of H., Apr. 1, 1915.)

At a meeting of the State board of health held April 1, 1915, chicken-pox was designated as a communicable disease and made notifiable.

### Vegetables—Sale of Those Grown on Sewage Irrigated Farms Prohibited. (Res. Bd. of H., Apr. 1, 1915.)

Whereas it has been shown on scientific investigation that vegetables grown on sewage irrigated farms may transmit typhoid fever: Therefore

*Resolved*, That the sale of all vegetables grown on farms irrigated with human sewage is absolutely prohibited in the State of Montana.

### Hotels and Restaurants—Sanitary Regulation. (Reg. Bd. of H., Apr. 1, 1915.)

**REGULATION 1. Suggestions to guests.**—These rules and regulations are designed to give you the maximum safety, comfort, and health protection that a hotel or restaurant will reasonably permit. The management, however, must have your hearty assistance and cooperation to conduct this establishment in a satisfactory manner. You should use the property of the hotel or restaurant with the same care as if it were in your own homes. The use of washbowls in sleeping rooms for urinals, towels, and bedding to shine your shoes, expectorating on floors, walls, or carpets, or other equally filthy practices should be strongly condemned by all persons who desire to improve living conditions in our hotels or restaurants.

**REG. 2. Construction.**—Every hotel and restaurant in this State shall be conducted in every department in a manner most conducive to the protection of the health, comfort, and safety of its guests; and it shall be constructed, equipped, and maintained with efficient plumbing, ventilation, and lighting.

**REG. 3. Lavatories and toilets.**—(a) All hotels in cities, towns, and villages where a system of waterworks and sewers adjacent to the property is maintained for public use shall, on or before January 1, 1916, be equipped with suitable lavatories and toilet facilities for the accommodation of its guests. The sewer must be connected with the public-sewer system.

(b) Each hotel shall be provided with a public wash room, which must be supplied with clean individual towels or paper towels. The common or roller towel is absolutely prohibited.

**REG. 4. Outside toilets.**—(a) All hotels in cities, towns, or villages not having a public-sewer system or waterworks shall have properly constructed privies, vaults, or other sanitary devices, which shall always be kept clean, properly ventilated, and well screened from insects and rodents.

(b) The wall or partition between the apartments must be tight. A separate apartment with separate entrance properly designated and screened from public view must be provided for each sex. All privy doors shall be self-closing.

(c) Where septic tanks are installed they must be constructed according to plans approved by the State board of health.

**REG. 5. Sleeping accommodations.**—(a) Every sleeping room shall be of sufficient size to afford at least 400 cubic feet of air space for each occupant over 12 years of age and 200 cubic feet for each occupant under 12 years of age. No greater number of occupants than thus established shall be permitted to sleep in any one room.

*Provided*, That this regulation shall not apply in cases of emergency where the change is approved by the local health officer.

(b) Sleeping rooms must be kept in good repair. The ceiling, walls, and floor shall be free from dirt.

(c) No room shall be used for a sleeping room in any hotel which does not have an adequate opening other than a transom over the door to the outside of the building or to well-ventilated light wells, air shafts, courts, or hallways. Light wells, air shafts, and courts in such hotels must be open at the top or provided with approved ventilators to furnish proper ventilation.

**NOTE.**—In rooms having an outside window or a window opening on a well-ventilated light well, air shaft, or court, proper ventilation can be secured if the window is opened at top and bottom and an adjustable shield is placed at the bottom to prevent drafts.

(d) At least one window in each sleeping room must be so constructed to permit it to be raised from the bottom or lowered from the top at any time. If storm windows are used, at least one for each sleeping room shall be either suspended from the top or hinged from the sides so that it can be opened and closed readily.

**REG. 6. Bedding.**—(a) All hotels shall hereafter provide each bed, bunk, cot, or other sleeping place for the use of transient guests with white cotton or linen pillow slips, top and under sheets, also mattress, and a reasonably sufficient quantity of bedding.

(b) The under sheet to be of sufficient size to completely cover the mattress and fold under on sides and ends.

(c) The top sheet must be at least of equal width, and on and after January 1, 1916, it must be not less than 96 inches long after being laundered.

(d) The long top sheet is to be folded back at the head of the bed so as to cover all top coverings at least 12 inches.

(e) All bedding, including mattresses, quilts, blankets, pillows, sheets, and comforts used in any hotel must be thoroughly aired and kept clean. No bedding shall be used which is worn out and unfit for further use. Pillow slips and sheets must be washed and ironed as often as they shall be assigned to a different guest.

**NOTE.** Bedquilts are difficult to wash and keep clean, and with the best of care they can not be kept in proper condition. When they become worn they are especially objectionable. All bedcovers should be made of washable material. Washable blankets and bedspreads should, whenever possible, be substituted for quilts. Such changes are earnestly recommended.

**REG. 7. Communicable diseases.**—Whenever a room in any hotel has been occupied by a guest ill with a communicable disease, it shall be thoroughly fumigated and disinfected in accordance with the rules of the State board of health, before being occupied by another guest.

**REG. 8. Premises.**—All premises connected with, or used by, any hotel or restaurant shall be kept in a sanitary condition, and it shall be the duty of the local or county health officer, either upon his own initiative or upon the complaint of any citizen, to take such action as may be necessary to abate any nuisance, source of filth, or cause of sickness existing on the premises.

**REG. 9. General provisions.**—(a) The use of the common drinking cup is prohibited in all hotels, restaurants, lodging houses, and other public places.

(b) It shall be unlawful for any person, firm, or corporation to sweep, or permit sweeping in hotels, restaurants, and other public places where the public is invited, unless the floor is first sprinkled with water, moist sawdust, or other substance to prevent the raising of dust. When vacuum cleaners or properly filled reservoir dustless brushes are used the sprinkling or use of moist sawdust is not required.

(c) All floors and interior woodwork in hotels and restaurants shall be cleaned as often as may be necessary to keep them in a sanitary condition.

(d) All cuspidors, wherever used, must be cleaned daily and kept free from odor.

REG. 10. No room infested with bedbugs or vermin of any kind shall be rented to any guest for sleeping purposes.

REG. 11. *Inspections.*—All hotels, restaurants, and lunch counters must be inspected each month by local or county health officers, or his deputy, and when inspected must be scored according to the score card, which is a part of these regulations.

When the score of any hotel, restaurant, or lunch counter falls below 70, but reaches 60 or more, the owner or lessee of such hotel, restaurant, or lunch counter will be sent a warning notice, and if on subsequent inspection the score again falls below 70, or if at any time the score falls below 60, the license of said owner or lessee shall be revoked by the State board of health. Before the revocation of any license, the licensee shall have the privilege of appearing before the State board of health to show cause why his license should not be revoked.

REG. 12. *Posting regulations.*—These regulations must be posted in a conspicuous place in every hotel.

#### **Tuberculin Test of Dairy Cattle. (Chap. 9, Act Feb. 9, 1915.)**

SECTION 1. Section 6 of chapter 146, session laws of the twelfth Legislative Assembly of the State of Montana [1911], is hereby amended to read as follows:

SEC. 6. All tuberculin used for making tests under the provisions of this act shall be of the kind and quality prescribed by the State live-stock sanitary board, and must, whenever possible, be obtained from the United States Bureau of Animal Industry, and the manner and method of testing cattle under the provision of this act shall be in accordance with the rules and regulations prescribed by the said board.

#### **Advertisements—False or Misleading, Prohibited. (Chap. 117, Act Mar. 8, 1915.)**

SECTION 1. False advertising as used in this act shall mean any false statement regarding the quality or price of goods, wares, or merchandise in any advertisement, circular, letter, poster, handbill, display card, or other written or printed matter, by means of which such goods, wares, or merchandise are offered for sale to the public.

SEC. 2. It shall be unlawful for any person, corporation, copartnership, or association of individuals to make any false statement regarding the quality or price of goods, wares, or merchandise in any advertisement, circular, letter, poster, handbill, display card, or other written or printed matter, by means of which such goods, wares, or merchandise are offered for sale to the public.

SEC. 3. Any person violating any of the provisions of this act by means of false advertising, as herein defined, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$50 nor more than \$500, or by imprisonment in the county jail not less than 30 days nor more than 6 months, or by both such fine and imprisonment.

## NEBRASKA.

### Ophthalmia Neonatorum—Prevention of. (Chap. 196, Act Apr. 15, 1915.)

**SECTION 1. Physicians to use nitrate of silver on eyes of new-born babies.**—It shall be the duty of every physician in attendance upon any lying-in woman, either in hospital or the general practice, upon the delivery of any newly born child, to use in the eyes of said child one of the following preparations:

Nitrate of silver, 1 per cent to 4 per cent solution.

Protargol, 10 per cent to 40 per cent solution.

Argyrol, 40 per cent to 50 per cent solution.

No additional fee shall be charged by any physician for the furnishing or use of the preparations herein prescribed.

**SEC. 2. Penalty for failure to use.**—Any physician violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than \$10 nor more than \$50, and his physician's license shall be subject to revocation by the State board of health.

### Food, Drug, Dairy, and Oil Commissioner—Appointment and Duties. Deputy Commissioner—Appointment, Duties, and Salary. Inspectors—Appointment and Salaries. (Chap. 47, Act Apr. 16, 1915.)

**SECTION 1. Amendment.**—That section 2527 of the Revised Statutes of Nebraska for 1913 be amended to read as follows:

2527. **SEC. 2. Food commissioner; deputy; salary; qualifications; powers.**—The governor of this State is hereby made the food, drug, dairy, and oil commissioner, and there is hereby imposed upon him the duty of executing all the provisions of this chapter and of all other acts in force or which may be hereafter enacted relating to food, drug, dairy, and oil products and such other duties as may be imposed by law. The governor is hereby authorized to appoint a deputy commissioner who shall receive a salary of \$2,500 per annum and who shall hold his office at the pleasure of the governor. Said deputy shall have knowledge of chemistry, drugs, food products, dairy products, and oils. He shall from time to time promulgate such rules and regulations as are necessary and proper to promptly and effectively enforce the provisions of this chapter. In the performance of his duties he is authorized and empowered to examine under oath or otherwise any person he has reason to believe has knowledge of any unlawful operation or unsanitary condition of any creamery, public dairy, butter, cheese, or ice-cream factory, or of any place where foods are manufactured, produced, prepared, or offered for sale; to issue subpoenas for the appearance of witnesses and the production of books and papers and to administer oaths with like effect as is done in courts of law in this State. In the examination of any witness and in requiring the production of books, papers, and other evidence he shall have and exercise all of the powers of a judge, magistrate, or other officer in the taking of depositions or the examination of witnesses, including the power to enforce his orders by fine or commitment for refusal to answer or for the disobedience of any such order.

**SEC. 2. Amendment.**—That section 2528 of the Revised Statutes of Nebraska for 1913 be amended to read as follows:

2528. **SEC. 3. Inspectors; secretary; chemist; employees.**—The governor is authorized, upon the recommendation of the deputy commissioner, to employ and

station not to exceed 16 inspectors, and during the months of May, June, July, August, and September in each year not to exceed 6 additional inspectors, which additional inspectors shall be persons of experience in dairy matters. Each of such inspectors shall hold his position at the pleasure of the governor and shall receive for his service not to exceed \$4 per day for each day actually and necessarily engaged in discharging his duties for the first two years' service and not to exceed \$4.50 per day thereafter and, in addition thereto, his actual and necessary traveling expenses.

The governor is hereby authorized to appoint a secretary to the deputy commissioner at a salary not to exceed \$90 a month, a stenographer at a salary not to exceed \$70 a month, a clerk at a salary not to exceed \$70 per month, and a chemist, who shall be known as the State chemist, at a salary not to exceed \$1,800 per annum. The salaries and expenses provided for in this chapter shall be paid monthly. All appointees under the provision of this chapter may be removed by the governor at any time for cause.

SEC. 3. *Amendment.*—That section 2532 of the Revised Statutes of Nebraska for 1913 be amended to read as follows:

2532. SEC. 7. *Reports.*—The deputy commissioner shall make a biennial report to the governor on or before the 15th day of December preceding the meeting of the legislature of each biennium for the biennium ending the 30th day of November preceding it. The report shall give a concise statement of the affairs of the department, a full statement of all the receipts and disbursements for the preceding biennium, of the inspections of oils as hereinafter provided, and the action of the department in the matter of the inspection of food, drug, dairy, and oil products. The report shall be printed, published, and distributed in a manner similar to the report required of other State officers. In June, September, and December of each year the deputy commissioner shall furnish to the county clerk of each county of the State a certified list of all foods, food products, liquors, beverages, medicines, and remedies found by analysis to be adulterated, with the name and brand of the articles, the name of the manufacturer, and the name of the injurious adulterant. This list shall at all times be subject to public inspection.

SEC. 5. *Repeal.*—That said original sections, 2527, 2528, and 2532 of the Revised Statutes of Nebraska for 1913, as heretofore existing, be and the same are hereby repealed.

#### **Meat—Sale of, from Diseased Animals Prohibited. (Chap. 250, Act Apr. 5, 1915.)**

SECTION 1. *Diseased meat; penalty for selling.*—It shall be unlawful for any person to sell or offer for sale the flesh of a diseased animal, whether such animal shall have died of disease or shall have been butchered when in a diseased condition, and any person violating the provisions of this act shall, upon conviction thereof, be fined in any sum not less than \$100 and not more than \$1,000, or be imprisoned in the penitentiary not less than six months or more than five years.

#### **Habit-Forming Drugs—Sale and Dispensing. (Chap. 195, Act Mar. 24, 1915.)**

SECTION 1. *Cocaine; opium; morphine; sale of, regulated.*—It shall be unlawful for any druggist, drug firm, or corporation, or any other person, copartnership, or corporation, to sell, barter, exchange, dispense, or give away any cocaine, alpha or beta eucaine, morphine, or opium, or any salt, compound, or derivative of any of the foregoing substances, or any preparation, product, or compound containing any of the foregoing substances, or any of their salts, compounds, or

derivatives, except, upon the written prescription of a duly licensed practicing physician of the State of Nebraska, which prescription shall contain the date when given, the name and address of the person for whom prescribed, and by whom to be used, and be signed by the physician prescribing same and the address of the physician shall be affixed thereto, and when such a prescription is received to be filled the person filling same shall affix to said prescription his name and address and the date of filling said prescription, and said prescription shall be retained on file within the State of Nebraska, where the same shall have been filled, by the person, firm, copartnership, or corporation filling same, for a period of at least two years, and said prescription shall not be filled more than once, and no copy of it shall be taken by any person, and said original prescription shall at all times be open to the inspection of the prescriber, to the State board of pharmacy, State, county, or city health officers, county attorneys, grand juries, and all officers of the law, and such agents as may be appointed by them, or any of them, for the purpose of making said inspection, and except also that such cocaine, alpha or beta eucaine, morphine, or opium, or any salt, compound, or derivative of any of the foregoing substances, or any preparation, product, or compound containing any of the foregoing substances, or any of their salts, compounds, or derivatives may lawfully be sold at wholesale to a duly licensed and registered pharmacist or druggist, duly licensed practicing physician, duly licensed practicing veterinarian, or duly licensed practicing dentist, upon the written and signed order of such duly licensed and registered pharmacist or druggist, or duly licensed and practicing physician, veterinarian or dentist, in which case the wholesale dealer shall, before delivering any of said articles, make, or cause to be made, in a book kept for the purpose, an entry of the sale thereof, stating the date of sale, quantity sold, name and form in which sold, the name and address of the purchaser, the name and address of the person by whom the entry is made, and the name and address of the person filling the order, and the said book shall be preserved and retained within the State of Nebraska, at the place where said order was filled, for a period of at least two years from the date of the last entry therein, and always be open for inspection by the State board of pharmacy, State, county, and city health officers, county attorneys, grand juries, and all officers of the law, and by agents appointed by them, or any of them, for the purpose of making said inspection.

**SEC. 2. Same; sale by druggists.**—It shall be unlawful for any person, copartnership, or corporation to administer to any person any cocaine, alpha or beta eucaine, morphine, or opium, or any salt, compound, or derivative of any of the foregoing substances, or any preparation, product, or compound containing any of the foregoing substances or any of their salts, compounds, or derivatives, except that such drugs, or any of them, may be administered by any duly licensed practicing physician, by any duly licensed practicing dentist, or duly licensed practicing veterinarian, in the course of his professional practice only to a patient, when necessary for medical purposes, except, however, as prohibited in section 4 of this act, or otherwise prohibited by law.

**SEC. 3. Same; prescriptions.**—The above provisions, contained in sections 1 and 2 of this act, shall not apply to prescriptions, preparations, and remedies containing not more than two grains of opium, or not more than one-fourth grain of morphine, or not more than one-eighth grain of heroin, or not more than one grain of codeine in one fluid ounce, or if solid preparation, in one avoirdupois ounce, or to liniments, ointments, suppositories, or plasters, when said liniments, ointments, suppositories, or plasters do not contain cocaine or any of its salts or derivatives or alpha or beta eucaine or any synthetic substitute for either of them, when plainly labeled "for external use only" and in good faith intended for that purpose.

**SEC. 4. Physicians prescribe how; when.**—It shall be unlawful for any duly licensed practicing physician to prescribe, or for any duly licensed practicing physician, dentist, or veterinarian to administer, in any manner or form, any cocaine, alpha or beta eucaine, morphine, or opium, or any salt, compound, or derivative of any of the foregoing substances, or any preparation, product, or compound containing any of the foregoing substances or any of their salts, compounds, or derivatives, for or to any person addicted to the habitual use of cocaine, alpha or beta eucaine, morphine, or opium, or any salt, compound, or derivative of any of the foregoing substances, or any preparation, product, or compound containing any of the foregoing substances or any of their salts, compounds, or derivatives, except that a reputable and duly licensed practicing physician may personally administer to a patient who is an habitual user of said drugs, or any of them, necessary doses thereof when it has been in good faith determined by two reputable and duly licensed practicing physicians, in consultation, to be absolutely necessary in the medical treatment of said patient, in which case the physician administering said drugs, or any of them, shall make and keep a record in writing of the name and address of the person to whom said drugs, or any of them, were administered, date administered, form and quantity of drug administered, name and address of consulting physician, date and place of consultation, which record shall be retained and preserved within the State of Nebraska, and the county where administered, for a period of at least two years, and shall always be open for inspection by the State board of pharmacy, State, county, and city health officers, county attorneys, grand juries, and all officers of the law, and by agents appointed by them, or any of them, for the purpose of making an inspection, and which record shall be made at the time of each administering of said drugs, or any of them, and a copy of said record shall, within five days after each administering of said drugs, or any of them, as in this section provided, be filed with the county attorney of the county in which said administering took place, by the physician administering said drugs, or any of them, and shall have affixed thereto the signature and address of the administering physician.

**SEC. 5. Violations; penalty.**—Any person violating any of the provisions or requirements of the foregoing and preceding sections of this act, or any part thereof, shall be guilty of a felony, and for each violation thereof shall be punished, on conviction thereof, by imprisonment in the penitentiary for not less than one year nor more than five years, or by a fine not less than \$100 or more than \$2,000, in the discretion of the court.

**SEC. 6. Repeal.**—That said section 8607 of the Revised Statutes of Nebraska for 1913 is repealed, and all acts or parts of acts in conflict with this act are hereby repealed.

**Domestic Animals — Communicable Diseases — Appraisement of Animals Killed—Penalty for Importing or Harboring Diseased Animals. (Chap. 11, Mar. 15, 1915.)**

**SECTION 1. Amendment.**—That sections 152 and 153, Revised Statutes of Nebraska for 1913 are hereby amended to read as follows:

**152. SEC. 80. Glandered horses and mules; killed how.**—Any horse or mule afflicted with glanders or duraine shall not be killed as such unless they have been inspected by the deputy State veterinarian or his assistant, and are pronounced by him diseased. Whenever any such animal becomes affected with glanders or duraine, its cash value, as the same would be were it not thus affected, shall be fixed within 24 hours before killing by appraisers chosen in the following manner: One appointed by the State veterinarian, one by the owner, and the third by the first two; *Provided*, In no case shall the appraised value of



the glandered or durained horse or mule exceed \$200 for animals so killed; not to exceed two-thirds of said amount as appraised shall be paid to the owner by the State. In no case shall any such animal be so appraised or paid for unless it be at least one year old, and have been in good faith owned and kept within the State by one person, company or corporation for six months before the killing.

The award of the appraisers shall be certified by the deputy State veterinarian to the auditor of the State, who shall draw a warrant upon the State treasurer for two-thirds of the amount so appraised and certified, to be paid to the owner of the animal killed.

153. SEC. 81. *Same; penalty for harboring.*—Any owner of any domestic animal or any person, firm, company, or corporation having such animal or animals in charge who shall knowingly bring into the State any such domestic animal which is affected with any infectious or contagious disease, or shall knowingly keep or harbor such animal except for scientific or experimental purposes, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than \$100, nor more than \$2,000, or be imprisoned in the county jail not less than three nor more than six months, or both, at the discretion of the court.

SEC. 2. *Repeal.*—That said original sections 152 and 153, Revised Statutes of Nebraska for 1913, are hereby repealed.

#### **Dentistry—Regulation of the Practice of. (Chap. 50, Act Apr. 16, 1915.)**

SECTION 1. *Amendment.*—Section 2795, Revised Statutes of Nebraska for the year 1913, is hereby amended to read as follows:

2795. SEC. 86. *Dentist and dentistry; license.*—It shall be unlawful for any person to engage in the practice of dentistry in the State of Nebraska unless such person shall have obtained a license from the State board of health, countersigned by its dental secretaries duly appointed under the provisions of this article.

SEC. 2. *Amendment.*—Section 2796, Revised Statutes of Nebraska for the year 1913, is hereby amended to read as follows:

2796. *Same; State board of health grant license.*—It shall be the duty of the State board of health to see that the provisions of this act are strictly enforced, to grant the certificates as hereinafter provided, and to be caused to be prosecuted all violations thereof. The State board of health shall appoint five secretaries to serve for the term of five years, of whom one shall be appointed each year in the month of July from a list of five dentists submitted by the Nebraska State Dental Society at its last annual meeting, said appointments to be made as terms of the present incumbents expire. Such secretaries shall have been actively and legally engaged in the practice of dentistry in the State of Nebraska for at least five years next preceding the date of their appointment, and none of such appointees shall be members of the faculty of any dental college or dental department of any medical college in the State of Nebraska, nor shall have any financial interest in any such college or department. Said secretaries shall hold office for a term of five years, or until their successors are duly appointed or qualified. In case a vacancy occurs in the office of dental secretary the State board of health shall fill such vacancy by appointment, within 30 days after it occurs, the appointee to serve the unexpired term of the secretary whose place becomes vacant.

SEC. 3. *Amendment.*—Section 2797, Revised Statutes of Nebraska for the year 1913, is hereby amended to read as follows:

2797. SEC. 88. *Registration of dentists.*—There shall be an annual registration of every person or persons having a license to practice dentistry within the

State, and it shall be the duty of the secretary of the dental secretaries not later than the 1st day of December of each year to prepare and mail to every person having a license to practice dentistry within the State a document to be known as the "annual registration blank," upon which shall be proper space for the indorsement of the name, residence, and location of office of the person to whom the same is sent; and it shall be the duty of every person upon the receipt of said blank to fill in the name, residence, and location of office of said person; and said blank shall be fully completed and returned to the said secretary within 30 days after its receipt, together with the sum of \$1 as an annual registration fee, which is hereby required to be paid; for the failure to comply herewith the person shall, upon conviction, be liable to a fine of not less than \$10 nor more than \$50, to be collected by the State and paid into the county treasury, and the license of such person to practice dentistry may be revoked for failure to register and pay the registration fee as herein provided.

**Sec. 4. Amendment.**—Section 2802, Revised Statutes of Nebraska for the year 1913, is hereby amended to read as follows:

**2802. Sec. 93. Examination.**—The dental secretaries shall examine, at their regular sessions only, all applicants for permanent license who shall furnish satisfactory evidence of having complied with the provisions of the fifth next following section, relating to qualification for examination, and shall recommend the granting of a license to all persons satisfactorily passing such examination, and upon such recommendation the State board of health shall grant a license to practice dentistry in the State of Nebraska, under the signatures of said board and countersigned by said dental secretaries. The examination of applicants shall be elementary and practical in character, but sufficiently thorough to test the fitness of the candidate to practice dentistry. It shall be written in English, and shall include questions on the following subjects: Anatomy, physiology, chemistry, materia medica, therapeutics, metallurgy, histology, pathology, oral surgery, operative and prosthetic dentistry, hygiene, and dental jurisprudence, and such other subjects as are usually found in the curriculum of a dental college. Demonstrations of the applicant's skill in operative and prosthetic dentistry shall also be required. In no case shall any applicant be examined or be given a certificate who is not at least 21 years of age. It shall be the duty of said dental secretaries to give final examinations to all students who may so desire, who have completed two years in a recognized dental college, on the subjects completed in said years; or said dental secretaries may, at their discretion, accept the final examination papers in those subjects completed in freshman and junior years in lieu of the said final examinations: *Provided*, That no dentist who shall have been regularly engaged in the practice of dentistry in this State prior to January 1, 1905, shall be required to take an examination.

**Sec. 5. Amendment.**—Section 2803, Revised Statutes of Nebraska for the year 1913, is hereby amended to read as follows:

**2803. Sec. 94. Secretaries of board attend infirmary of colleges.**—It shall be the duty of the dental secretaries to cause at least two of their number to be present at the infirmary of each of the dental colleges, schools, or departments, legally conducted in the State of Nebraska, of which the applicant is a graduate and give final and practical examination in operative and prosthetic dentistry.

**Sec. 6. Amendment.**—Section 2804, Revised Statutes of Nebraska for the year 1913, is hereby amended to read as follows:

**2804. Sec. 95. Character of applicant.**—Any member of the board of dental secretaries may inquire of any applicant for examination concerning his character, qualifications, or experience, and may take testimony with respect thereto, from anyone under oath, which he is hereby empowered to administer.

**Sec. 7. Amendment.**—Section 2807, Revised Statutes of Nebraska for the year 1913, is hereby amended to read as follows:

**2807. Sec. 98. Qualifications.**—No person shall be eligible for examination for a license by said dental secretaries unless he shall furnish satisfactory evidence of having graduated from a reputable dental college, and shall present satisfactory evidence of having the preliminary education of 14 Carnegie units, or shall furnish to the dental secretaries a certificate of the State board of dental examiners, or a similar body of some other State of the United States, showing that the applicant has been a licensed practitioner of dentistry in that State for the last five years just previous: *Provided*, This section shall not prevent students from taking the examination above provided at the end of their second year.

**Sec. 8. Amendment.**—Section 2810, Revised Statutes of Nebraska for the year 1913, is hereby amended to read as follows:

**2810. Sec. 101. Fees.**—Every person applying to the State board of health for a license to practice dentistry, at the regular semiannual meeting, shall pay to the treasurer of said dental secretaries a fee of \$20, which shall in no case be refunded. Any person desiring to obtain a license to practice dentistry may take said examination at a special meeting of the board to be called for that purpose, upon the payment of the regular fee herein provided, and in addition thereto all the necessary expenses incident to the conducting of said special examination; and if more than one applicant, the expense of conducting said special examination shall be prorated among the applicants. All students who take the examination in the subjects completed at the end of the second year, as above provided, shall at the time of taking such examination pay a fee of \$10, and when their final examination is taken in all other studies after graduation, shall pay a further fee of \$10, which fee shall in no case be refunded. When an applicant for a license fails to pass an examination, no extra charge or fee shall be demanded for a second examination. Necessary expenses, compensation of said dental secretaries in attendance on meetings and expenses incurred in the prosecution of violations of this article, and the salary of the secretary of the dental secretaries, not to exceed \$250 per year, shall be paid out of the fees and funds provided for in this article. All moneys received for licenses or for annual registration shall constitute a fund as hereinbefore provided and may be expended only on the joint order of the president and secretary of said dental secretaries.

**Sec. 9. Amendment.**—Section 2815, Revised Statutes of Nebraska for the year 1913, is hereby amended to read as follows:

**2815a. Sec. 106. Revoking license.**—The proceedings to revoke or suspend any license under the first subdivision in the next preceding section, must be had by the board on the receipt of a certified copy of the record of conviction. All accusations must be in writing, verified by some party familiar with the facts therein charged and three copies thereof must be filed with the secretary of the dental secretaries. Upon receiving the accusations and upon recommendation of the board of dental secretaries, the State board of health, if it deem the charges sufficient, may make an order setting the same for hearing, and requiring the accused to appear and answer at a specified time and place, and the secretary of said dental secretaries shall cause a copy of the order and of the accusation to be served upon the accused at least 10 days before the day appointed in the order, to answer the charges and make his defense thereto, unless for sufficient cause the State board of health assign another day for that purpose. If he do not appear the board may proceed and determine the accusation in his absence. If the accused plead guilty or refuse to answer the charges, or upon a hearing thereof the board shall find them or any of them to be true, it may

proceed to a judgment revoking or suspending the license of the accused. The board and the accused may have the benefit of counsel, and the board shall have the power to administer oaths, and take the depositions of witnesses in a manner provided by law in civil cases. Upon the revocation of any license the fact shall be noted upon the records of the board of health and dental secretaries thereof, and the license shall be marked as canceled, upon the date of its revocation. Whenever a license is revoked or suspended as herein provided, and the person whose license is revoked or suspended as herein provided, appeals, said person shall have no right to practice dentistry pending said appeal, and any person practicing dentistry as hereinbefore defined after his license is revoked or suspended during said appeal shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than \$50 nor more than \$500 or imprisonment of not less than 5 days nor more than 90 days in the county jail, and in addition thereto may be enjoined as hereinafter provided.

2815b. SEC. 106a. Enjoining violators of law from further practice.—Whenever any person is found violating any of the provisions of this act the State board of dental secretaries or any citizen may maintain an action in equity in the name of said State board of dental secretaries or said citizen to perpetually enjoin said person from doing any of the acts above described, said action to be brought in the county in which said acts are claimed to have been committed, and in such action the court or a judge in vacation shall, upon the presentation of a petition therefor alleging the doing of any said act or acts and the filing of a bond to be approved by the court, allow a temporary writ of injunction, upon presentation of a copy of the order revoking or suspending the license if the act consists of a violation of the revocation or suspension, and in all other cases if it shall be made to appear to the satisfaction of the court or judge in the form of an affidavit, deposition, oral testimony, or otherwise, as the claimant may elect, that the acts have been committed, unless the court or judge shall direct the form and manner in which the testimony is to be presented. Three days' notice in writing shall be given the defendant of the hearing of the application, and if then continued at his instance the temporary writ as prayed shall be granted as a matter of course. When an injunction has been granted it shall be binding on the defendant throughout the State, and any violation of its provisions shall be a contempt and prosecuted as hereinafter provided. In cases of the violation of any injunction granted under the provisions of this act the court, or in vacation the judge thereof, may summarily try and punish the offender. Proceedings may be commenced by filing with the clerk of the court any information under oath setting out the alleged facts constituting said violation upon which the offender shall be arrested. The trial may be had upon affidavits, or either party may demand the production and oral examination of the witnesses if within the jurisdiction of the court. A party found guilty of contempt under the provisions of this section shall be punished by a fine of not less than \$50 nor more than \$500 or by imprisonment in the county jail for not less than 30 days nor more than 6 months, or by both fine and imprisonment. The dental secretaries are hereby authorized to employ special counsel to prosecute the above proceedings and may pay said counsel and all other expenses incident to the prosecution of said suit out of any of the funds provided for in this act.

SEC. 10. *Amendment.*—Section 2118, Revised Statutes of Nebraska for the year 1913, is hereby amended to read as follows:

2118. SEC. 109. *License issue by other States.*—The State board of health, upon the recommendation of the board of dental secretaries, may, without examination, issue a license to practice to any dentist who shall have been in legal practice in some other State or Territory for a period of at least five years

upon the certificate of the board of dental secretaries or a like board of the State or Territory in which such dentist was a practitioner, certifying his competency and that he is of good moral character and upon the payment of \$20: *Provided, however,* The State from which any practitioner may come shall have and maintain equal standards of laws regulating the practice of dentistry and recognize exchange certificates issued by the board of dental secretaries of the State of Nebraska: *Provided further,* That said applicant shall be compelled to take a practical satisfactory examination in operative and prosthetic dentistry before the board of dental secretaries before said license shall issue.

SEC. 11. *Amendment.*—Sections 2795, 2796, 2797, 2802, 2803, 2804, 2806, 2807, 2809, 2810, 2815, 2818, and 2819, Revised Statutes of Nebraska for 1913, and all acts or parts of acts in conflict herewith are hereby repealed.

## NEVADA.

### **Communicable Diseases — Notification of Cases — Quarantine — Hospitals, Almshouses, Lying-in Places, Etc.—Personal and Statistical Particulars of Inmates. (Chap. 179, Act Mar. 22, 1915.)**

SECTION 1. Section 17 of the above-entitled act ["An act to create a State board of health, defining their duties, prescribing the manner of the appointments of its officers, fixing their compensation, making an appropriation for the support of said board, establishing county boards of health, requiring certain statements to be filed, defining certain misdemeanors, and providing penalties therefor, and other matters relating thereto," approved Mar. 27, 1911] is hereby amended to read as follows:

SEC. 17. (a) That all superintendents or managers, or other persons in charge of hospitals, almshouses, lying-in or other institutions, public or private, to which persons resort for treatment of diseases, confinement, or are committed by process of law, are hereby required to make a record of all the personal and statistical particulars relative to the inmates in their institutions at the date of the approval of this act that are required in the forms of the certificates provided for by this act, as directed by the State board of health; and thereafter such record shall be, by them, made for all future inmates at the time of their admission. And in case of persons admitted or committed for medical treatment of disease, the physician in charge shall specify for entry in the record the nature of the disease, and where, in his opinion, it was contracted. The personal particulars and information required by this section shall be obtained from the individual himself, if it is practicable to do so; and when they can not be so obtained they shall be secured in as complete a manner as possible from relatives, friends, or other persons acquainted with the facts.

(b) It shall be the duty of every attending physician to forthwith report to the local health officer each and every case of scarlet fever, smallpox, diphtheria, and membranous croup, typhus and typhoid fever, foyor and whooping cough, measles, chicken-pox, pneumonia, tuberculosis, bronchitis, acute anterior [sic] poliomyelitis, cerebrospinal meningitis, diarrheal diseases of children, cancer, puerperal septicemia, mumps, and Rocky Mountain (tick) fever, and the local health officer shall make a record thereof. Any attending physician who shall fail or neglect to forthwith report to the local health officer any case of scarlet fever, smallpox, diphtheria, and membranous croup, typhus and typhoid fever, foyor and whooping cough, measles, chicken-pox, pneumonia, tuberculosis, bronchitis, acute anterior poliomyelitis, cerebrospinal meningitis, diarrheal diseases of children, cancer, puerperal septicemia, mumps, and Rocky Mountain (tick) fever shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by fine of not less than \$100 nor more than \$500, or by imprisonment in the county jail not less than 10 days nor more than 30 days, or by both such fine and imprisonment.

(c) It shall be the duty of every attending physician upon any case of scarlet fever, smallpox, diphtheria, and membranous croup, whooping cough, measles, chicken-pox, acute anterior poliomyelitis, cerebrospinal meningitis, diarrheal diseases of children, puerperal septicemia or mumps to forthwith establish

and maintain a quarantine of such person or persons, or the family and premises thereof, in conformity with the requirements, rules, and regulations which shall be established by the State board of health, and any attending physician who fails to establish and maintain such quarantine in conformity with the requirements, rules, and regulations of the State board of health shall be guilty of a misdemeanor, and punished by a fine of not less than \$25 nor more than \$100, or by imprisonment in the county jail for not less than 10 days nor more than 30 days, or by both such fine and imprisonment.

**Habit-Forming Drugs—Sale and Dispensing. (Chap. 101, Act Mar. 12, 1915.)**

SECTION 1. Sections 6 and 8 of said act ["An act to regulate the sale and use of poisons in the State of Nevada, and providing a penalty for the violation thereof," approved Mar. 24, 1913] are hereby amended to read as follows:

SEC. 6. It is hereby made the duty of the district attorney of the county wherein any violation of this act is committed to conduct all actions and prosecutions for the same, at the request of the board of pharmacy: *And provided further*, That any narcotic or narcotics, or their derivatives, may be seized by the judge of the court in which final conviction was had, that the judge shall turn all such evidence over to the Nevada State Board of Pharmacy: *And provided further*, That the said board of pharmacy may dispose of all narcotics now on hand or hereafter coming into their possession, either by gift to the medical director of the Nevada State prison, or the State hospital, or by sale to wholesale druggists, the funds received from such sale to be applied by the board of pharmacy to the carrying out of the provisions of this act creating such Nevada State Board of Pharmacy.

SEC. 8. It shall be unlawful for any person, firm, or corporation to sell, furnish, or give away, or offer to sell, furnish, or give away, or to have in their or his possession, any cocaine, opium, yen shee, morphine, codeine, heroin, alpha eucaine, beta eucaine, nova caine, or chloral hydrate, or any of the salts, derivatives, or compounds of the foregoing substances, or any preparation or compound containing any of the foregoing substances or their salts, derivatives, or compounds, excepting upon the written order or prescription of a physician, dentist, or veterinary surgeon licensed to practice in this State, which order or prescription shall be dated and shall contain the name of the person for whom prescribed, written in by the person writing said prescription, or if ordered by a veterinary surgeon, it shall state the kind of animal for which ordered and shall be by the person giving the prescription or order. Such order or prescription shall be permanently retained on file by the person, firm, or corporation who shall compound or dispense the articles ordered or prescribed, and it shall not be again compounded or dispensed if each fluid or avoirdupois ounce contains more than eight grains of opium, or one grain of morphine, or two grains of codeine, or one-half grain of heroin, or one grain of cocaine, or one grain of alpha eucaine, or one grain of nova caine, or sixty grains of chloral hydrate, excepting upon the written order of the prescriber for each and every subsequent compounding or dispensing.

No copy or duplicate of such written order or prescription shall be made or delivered to any person, but the original shall be at all times open to inspection by the subscriber and properly authorized officer of the law, and shall be preserved for at least three years from the date of the filing thereof: *Provided*, That the above provisions shall not apply to sales at wholesale by jobbers, wholesalers, and manufacturers to pharmacies legally licensed and doing business under the laws of the State of Nevada, or physicians, nor to each other, nor to the sale at retail by pharmacies to physicians, dentists, or veterinary sur-

geons duly licensed to practice in this State: *Provided further*, That all such wholesale jobbers, wholesalers, and manufacturers, in this section mentioned, shall, before delivery to any person, firm, or corporation of any of the articles in this section enumerated, make or cause to be made in a book kept for that purpose only, an entry of the sale of any such article, stating the date of such sale and quantity and name of the article and form in which sold, the true name and true address of the purchaser, the name of the person by whom such entry and sale was made, also a statement showing how delivery was had, whether delivered personally or forwarded by mail, express, or by freight, which book shall be substantially as follows:

Date of sale.	Quantity and name of article.	Name of purchaser.	How delivered.	Name of person selling.

And said books shall always be opened for inspection by any peace officer or citizen, or any member of the board of pharmacy, or any inspector by them authorized, and such book shall be preserved for at least five years after the date of the last entry therein. It shall be unlawful for any practitioner of medicine, dentistry, or veterinary surgeon to furnish to, or prescribe for the use of, any habitual user of the same, any cocaine, opium, morphine, codeine, heroin, or chloral hydrate, or any salt, derivative, or compounds; and it shall be unlawful for any practitioner of dentistry to prescribe any of the foregoing substances for any person not under his treatment in the regular practice of his profession, or of any veterinary surgeon to prescribe any of the foregoing substances for the use of any human being: *Provided, however*, That the provisions of this section shall not be construed to prevent any duly licensed physician from furnishing or prescribing in good faith as their physician, by them employed as such, for any habitual user of any narcotic drugs who is under his professional care, such substances as he may deem necessary for their treatment, when such prescriptions are not for substances furnished for the purpose of evading the purposes of this act: *Provided*, That the above provisions shall not apply to prescriptions sold or dispensed without a physician's prescription containing less than 2 grains of opium, or one-fourth grain of morphine, or one-half grain of codeine, or one-sixth grain of nova caine, or one-sixth grain beta eucaine, or 10 grains chloral hydrate in 1 fluid ounce, or, if a solid preparation, in 1 ounce avoirdupois ounce [sic], or to the sale of strychnine or other poisons for the purpose of destroying noxious wild animals.

*And it is further provided*, That it shall be the duty of every proprietor or manager of a pharmacy or drug store within the State of Nevada to keep a true and correct record of all orders forwarded to wholesalers, jobbers, or manufacturers, or traveling salesmen for the purchase of, in any manner, any cocaine, opium, yen shee, morphine, codeine, heroin, or chloral hydrate, or any salt, derivative, or compound thereof, within the meaning of the provisions of this act: *Provided further*, That a true and correct copy of all orders, forwarded by United States mail or otherwise, or given personally, any traveling salesman for narcotic drugs as specified in this section, shall be forwarded by registered mail to the secretary of the Nevada State Board of Pharmacy, within 24 hours after the forwarding of such order, direct or through a representative or traveling salesman: *And provided further*, The taking of any order, or making of any contract or agreement, by any salesman or representative, or any employee or person, firm, or corporation, for future delivery in this State, for any of the



articles or drugs mentioned in this section, shall be deemed a sale of said articles or drugs by said traveling representative or employee within the meaning of the provisions of this act: *Provided further*, That a true and correct copy of all orders, contracts, or agreements taken for narcotic drugs specified in this section by any traveling representative or employee shall likewise be forwarded by such traveling representative or employee by registered mail to the secretary of the Nevada State Board of Pharmacy within 24 hours after the taking of such order, contract, or agreement, unless such order, contract, or agreement is recorded by entry in a book used for that purpose only by some wholesale jobber, wholesaler, or manufacturer permanently located in this State, as provided for in this section.

**Hotels, Rooming Houses, and Lodging Houses—Sanitary Regulation. (Chap. 136, Act Mar. 15, 1915.)**

SECTION 1. Every building or structure, kept as, used as, maintained as, or held out to the public to be, a place where sleeping or rooming accommodations are furnished to the transient public, whether with or without meals, shall, for the purpose of this act, be deemed to be a hotel, and whenever the word "hotel" shall occur in this act, it shall be deemed to include lodging house and rooming house, where transient trade is solicited.

SEC. 2. All bedding, bedclothes, or bed covering, including mattresses, quilts, blankets, sheets, pillows, or comforters used in any hotel in this State must be kept clean and free from all filth or dirt: *Provided*, That no bedding, bedclothes, or bed covering, including mattresses, quilts, blankets, sheets, pillows, or comforters shall be used which is worn out or insanitary for use by human beings according to the true intent and meaning of this act.

SEC. 3. Any room in any hotel in this State, which is or shall be infested with vermin or bedbugs or similar things, shall be thoroughly fumigated, disinfected, and renovated until such vermin or bedbugs or other similar things are entirely exterminated.

SEC. 4. Every room in any hotel in this State used for sleeping purposes must be free from any and every kind of dirt or filth of whatsoever nature, and the walls, floors, ceiling, and doors of every such room shall be kept free from dirt.

SEC. 5. Every room in any hotel used for sleeping purposes shall have devices, such as a window or transom, so constructed as to allow for the proper and a sufficient amount of ventilation in each such room.

SEC. 6. Every bed, for the accommodation of any person or persons or guests, kept or used in any hotel in this State, must be provided with a sufficient supply of clean bedding and must be provided with sheets at least 98 inches long and of sufficient width to completely cover the mattress and spring, and pillow slips as often as assigned to a different person.

SEC. 7. Whenever any room in any hotel shall have been occupied by any person having a contagious or infectious disease, the said room shall be thoroughly fumigated under the direction of the health officer, his authorized deputy or deputies, or any agent provided for by this act, and all bedding therein thoroughly disinfected before said room shall be occupied by any other person; but, in any event, such room shall not be let to any person for at least 48 hours after such fumigation or disinfection.

SEC. 8. Every hotel within this State having a public washstand or washbowl where different persons gather to wash themselves must keep a sufficient supply of clean individual towels for the use of such persons within easy access of or to such persons and in plain sight and view. Nothing in this section shall be construed as excluding the use of crêpe or paper towels or the automatic roller towel.

**SEC. 9.** Every hotel in this State shall have proper facilities for sewage disposal and shall be kept free from effluvia arising from any sewer, drain, privy, cesspool, or other source within the control of the proprietor, owner, manager, agent, or other person in charge. Any water-closet, privy, or cesspool in connection with any hotel shall be disinfected as often as may be necessary to keep them at all times in a sanitary condition.

**SEC. 10.** Every proprietor, owner, manager, lessee, or other person in charge of any hotel in this State who shall fail to comply with this act, whether through the acts of himself, his agent, or employees, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$25 or more than \$100, or shall be imprisoned for not more than three months, and every day that any hotel shall be kept in violation of any of the provisions of this act such keeping shall constitute a separate offense.

**SEC. 11.** The commissioner of food and drugs is hereby charged with the enforcement of this act. He shall appoint such agent or agents as he deems necessary to carry out the provisions of this act and shall make uniform rules and regulations pertaining thereto. He shall keep a record of hotels inspected, and said record or any part thereof may, in the discretion of the commissioner, be included in the annual report to the governor, which said commissioner is already authorized to make by law.

**SEC. 12.** The commissioner of food and drugs, or his duly authorized agent or agents, shall have access at any time to any hotel in this State for the purpose of making inspections and carrying out the provisions of this act.

**SEC. 13.** This act shall be in full force and effect on and after January 1, 1916.

**Domestic Animals—Running at Large—Boards of County Commissioners to Pass Ordinances for the Prevention of, in Certain Cases. (Chap. 265, Act Mar. 26, 1915.)**

**SECTION 1.** It shall be the duty of the board of county commissioners of any county in this State, when petitioned by 25 per-cent of the taxpayers of any town or voting precinct, not maintaining a separate and independent local government, to pass an ordinance to prevent the running at large of any horse, mule, ass, kine, hog, sheep, or goat in said town or precinct; and providing in said ordinance for the impounding of the said animals as estrays and the payment of certain fees and costs before the release of such animals.

**SEC. 2.** When said ordinance is properly drawn and signed by the chairman of the board of county commissioners it shall be published in some newspaper of general circulation published in said town or precinct, and if there be none, then in some newspaper published in the county for a period of at least 10 days before going into effect. The cost of publication to be paid by the county out of the general fund of the county the same as other bills.

**SEC. 3.** A violation of any such ordinance shall be a misdemeanor, and punished by a fine of not less than \$5 nor more than \$100, or imprisonment in the county jail for not more than 10 days, or by both such fine and imprisonment.

**Offensive Trades—Franchises Granted for Continuing Existing Establishments. (Chap. 70, Act Mar. 6, 1915.)**

**SECTION 1.** In all cities in which, at the general election in the year A. D. 1914, there were polled for candidates for United States Senator more than 2,500 votes, and in which any person, firm, association, or corporation, or the heirs, assigns, or successors in interest of either of them, shall have heretofore invested not less than \$20,000, in real property, including improvements and

equipment thereon, for the purpose of maintaining, conducting, and carrying on, and in which said city is now being maintained, conducted, and carried on, one or more of either of the following kinds of business, to wit: Abattoirs; packing houses; packing-house agencies; plants for the curing and smoking of meats and meat products, and for manufacturing into commercial form all by-products of said abattoirs and packing houses; also carrying on stockyards and buildings, renderies, tallow chandleries, tanneries, wool pulleries, bone, soap, and fertilizing factories, and processing of offal, and for carrying on any other factories or business incident or appurtenant to all or either of the foregoing kinds of business, a franchise shall be, and is hereby, granted to each of said persons, firms, associations, or corporations, and to the heirs, successors, or assigns of either of them to continue maintaining, conducting, and carrying on all or either of the businesses aforesaid for the period of 50 years from and after the date of enactment hereof, upon the lands and premises upon which said business or businesses were established or are being maintained, conducted, and carried on at the date hereof, and upon any premises adjacent to or in the immediate vicinity thereof, the title to which shall have been lawfully acquired and which may or shall hereafter be or become useful or advantageous in the maintaining, conducting, or carrying on of all or either of the business in this act enumerated: *Provided, however,* That nothing in this act shall be so construed as to limit any municipality in its control and regulation or power to levy licenses or taxes upon the business or businesses herein described.

## NEW HAMPSHIRE.

### Communicable Diseases—Notification of Cases—Quarantine—Placarding—Instructions. (Chap. 20, Act. Mar. 2, 1915.)

SECTION 1. Chapter 16, Laws of 1901, is hereby amended by striking out sections 1, 2, 3, 4, and 5, and inserting in place thereof the following:

"SECTION 1. Any physician or other person called upon to treat smallpox, cholera, diphtheria, scarlet fever, typhoid fever, measles, or any other disease required by the State board of health to be reported, shall report the same immediately to the local board of health of the town in which the disease is found, or to the State board of health, as may be directed by the latter, together with the name, age, and sex of the patient, the head of the family, and the house or place where the said infected person may be found. The attending physician may, if he deems it necessary, quarantine the patient or enforce the regulations of the State board of health pending the reporting of the disease as required.

"SEC. 2. Whenever any person knows or has reason to believe that any member of his family or household has either of the diseases named in section 1, or any other disease required to be reported, he shall, if no physician is in attendance, immediately notify the local board of health of the town or city in which he resides.

"SEC. 3. The board of health, upon being notified of the existence of either of the diseases required to be reported under the provisions of section 1 of this act, shall take such action with respect to quarantine and instructions to the family as may have been promulgated by the State board of health for the control of that particular disease, and it shall be the duty of local boards of health to enforce all rules and regulations established by the State board of health for the restriction and prevention of such disease or diseases.

"SEC. 4. The State board of health shall cause to be printed, for the use of local boards of health, quarantine cards or notices containing such orders or instructions as may be deemed necessary or advisable. No person shall remove, deface, or destroy a quarantine card or notice when posted by the local board of health, and said card shall remain in place until its removal is authorized by the local board of health.

"SEC. 5. Upon the appearance of either of the diseases required by the law or by the State board of health to be reported, the local board of health shall make an immediate report to the State board of health upon blanks furnished for that purpose, and shall thereafter make weekly reports so long as the disease continues, and shall make such additional reports as the State board of health may require."

### Ophthalmia Neonatorum—Notification of Cases. (Chap. 85, Act Mar. 31, 1915.)

SECTION 1. Should one or both eyes of an infant become inflamed, swollen, and red, and show an unusual discharge at any time within two weeks after its birth, it shall be the duty of the attending midwife, nurse, relative, or other attendant treating or having charge of such infant to report in writing, within six hours thereafter, to the board of health of the city or town in which the parents of the infant reside, the fact that such inflammation, swelling, and redness of the eyes and unnatural discharge exist, except that if a legally qualified physician is in attendance, he shall report as required by this section within 24 hours.

SEC. 2. Upon receipt of a report as set forth in section 1 of this act, the board of health, if no physician is in attendance, shall at once direct the parents, or whoever

has charge of such infant having such inflammation, swelling, redness, or unnatural discharge of the eyes, immediately to place it in charge of a legally qualified physician, or in charge of the city or town physician if unable to pay for medical services.

SEC. 3. The board of health of every city and town in the State shall make a weekly report to the State board of health, upon blanks furnished for that purpose, of all cases reported under the provisions of section 1 of this act, and the State board of health is authorized to adopt such rules, regulations, and instructions as it may deem necessary to carry out the provisions of this act.

SEC. 4. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and shall be fined not exceeding \$25 for each offense.

#### **Communicable Diseases—List of Notifiable Diseases.**

At a meeting of the State board of health held on April 29, 1915, whooping cough was added to the list of diseases required to be reported, pursuant to authority granted by chapter 20, act of March 2, 1915.

During the year 1913, poliomyelitis and cerebrospinal meningitis were also made notifiable. The following is a list of the diseases now required to be reported in New Hampshire:

Anthrax, cholera (Asiatic), diphtheria, measles, meningitis (epidemic cerebrospinal), ophthalmia neonatorum, poliomyelitis, scarlet fever, smallpox, tuberculosis (all forms), typhoid fever, whooping cough, arsenic poisoning, brass poisoning, lead poisoning, mercury poisoning, phosphorus poisoning, wood-alcohol poisoning, caisson disease (compressed-air illness), and all occupational diseases.

#### **Diphtheria Antitoxin—Free Distribution. (Chap. 101, Act Apr. 7, 1915.)**

SECTION 1. The State board of health is hereby authorized to purchase antitoxin for the treatment of diphtheria and to distribute the same free of charge under such rules and regulations as said board may prescribe; and a sum not exceeding \$2,400 for each of the years ending August 31, 1916 and 1917, is hereby appropriated to pay the expenses thereof, upon vouchers duly approved according to law.

SEC. 2. The antitoxin shall be kept at stations designated by the State board of health and shall be furnished physicians duly registered and licensed under the State law, upon application by prescription of regular form.

SEC. 3. A person selling or disposing of any antitoxin purchased or distributed under the provisions of this act for personal gain shall be fined \$10 for each offense.

SEC. 4. This act shall take effect September 1, 1915.

#### **Tuberculosis—Treatment of Persons Afflicted With—Appropriation for. (Chap. 225, Act Apr. 21, 1915.)**

That for the treatment of persons afflicted with tuberculosis, particularly in the advanced stages, who are unable to pay the cost of such treatment, and for the encouragement of the establishment and maintenance of sanatoria for the treatment of such persons, the State board of charities and correction be and hereby is authorized to engage free beds in such sanatoria or other places as have been approved by the State board of health for the treatment of such persons as the State board of charities and correction may specify. Indigent consumptives, citizens of the State, who are unable to pay any part of the cost of said treatment, may be admitted to said free beds by the authority of the secretary of the State board of charities and correction in accordance with the ordinary regulations of said sanatoria. Persons in needy circumstances, who by themselves, relatives, or friends are able to pay no more than part of the cost of said treatment, may be admitted to said sanatoria or other places and maintained and treated therein at the expense of the State to that extent that they can not by them-

selves, relatives, or friends chargeable therefor, pay cash cost of treatment, when the State board of charities and correction so certify; and said board shall stipulate the proportion the State shall assume to pay. This act shall not be construed so as to deprive any person to whom aid is rendered of any right that he may have at the time of his admission to said sanatorium. To pay the expenses of engaging said free beds and assisting persons in needy circumstances to treatment in said sanatoria a sum not exceeding \$17,500 for each of the years 1915 and 1916 is hereby appropriated, and the governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

**State Board of Health—Appropriations. (Chap. 130, Act Apr. 21, 1915.)**

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the State, for the purposes specified, for the fiscal year ending on the 31st day of August, 1916, to wit:

\* \* \* \* \*  
*For State board of health.*—\$11,250, as follows: For salary of secretary, \$2,500; for salary of clerk, \$500; for incidentals, \$450; for printing blanks, \$300; for epidemic fund, \$5,000; for sanitary inspection, \$2,500.

*For laboratory of hygiene.*—\$6,800, as follows: For salaries of two chemists, \$3,200; for salaries of two bacteriologists, \$2,000; for incidentals, \$1,200; for printing blanks and bulletin, \$400.

*For vital statistics.*—\$1,600, as follows: For clerical expenses and incidentals, \$1,600.  
 \* \* \* \* \*

**State Board of Health—Appropriations. (Chap. 131, Act Apr. 21, 1915.)**

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the State, for the purposes specified for the fiscal year ending on the 31st day of August, 1917, to wit:

\* \* \* \* \*  
*For State board of health.*—\$12,100, as follows: For salary of secretary, \$2,500; for salary of clerk, \$500; for incidentals, \$450; for printing blanks, \$300; for printing reports, \$850; for epidemic fund, \$5,000; for sanitary inspection, \$2,500.

*For laboratory of hygiene.*—\$6,800, as follows: For salaries of two chemists, \$3,200; for salaries of two bacteriologists, \$2,000; for incidentals, \$1,200; for printing blanks and sanitary bulletins, \$400.

*For vital statistics.*—\$2,800, as follows: For clerical expenses and incidentals, \$1,600; for printing report, \$1,200.  
 \* \* \* \* \*

**Health Officers in Towns—Appointment and Duties. (Chap. 27, Act Mar. 3, 1915.)**

SECTION 1. The State board of health shall appoint as health officer for the towns of the State, respectively, such person as the selectmen of the town recommend, and the secretary of the State board of health shall issue to him a certificate of appointment; but if no recommendation is made within 15 days after notice, the State board of health may appoint a health officer without such recommendation. Said health officer shall be a resident of the town for which he is to act, except that the State board of health may appoint any qualified person to act as health officer in unincorporated localities.

SEC. 2. Said health officer, with the selectmen, shall constitute a local board of health for such town, and shall succeed in office the then existing board of health.

SEC. 3. Said health officer shall be the secretary and executive officer of the local board of health, and shall hold his office for three years or until his successor is appointed. The State board of health may remove a health officer for any cause at any

time after due hearing, and fill the vacancy in such office by appointment as provided in section 1 of this act.

SEC. 4. Said health officer shall enforce the public health laws and regulations, and shall make such sanitary investigations as may be directed by the local board of health, or as may be required by the State board of health. He shall receive for his services the same compensation as is allowed by law to local health officers.

SEC. 5. This act shall not apply to the incorporated cities of the State. It shall take effect and be in force on and after June 1, 1915; and all acts and parts of acts inconsistent with this act are hereby repealed.

**Common Towels—Prohibited in Public Places. (Chap. 84, Act Mar. 31, 1915.)**

SECTION 1. In order to prevent the spread of communicable diseases, the use of the common towel is hereby prohibited in all public places, vehicles, or buildings, and the State board of health is hereby authorized to enforce this act.

SEC. 2. Whoever violates the provisions of this act, or any rule or regulation of the State board of health made under authority hereof, shall be deemed guilty of a misdemeanor and be liable to a fine not exceeding \$25 for each offense.

SEC. 3. This act shall take effect on the first day of June, 1915.

**Common Towels—Prohibited in Public Places. (Reg. Bd. of H., Aug. 10, 1915.)**

To carry into effect the requirements of the act above quoted [an act to restrict the use of common towels, Public Health Reports, Aug. 27, 1915, p. 2595], health officers are hereby directed, under authority of law, to prohibit the use of the common towel in hotels, schools, railroad stations, public halls, churches, barber shops, stores, public baths, and all other public places.

The term "common towel" shall be considered to mean a roller towel or a towel available for use by more than one person without being washed after such use.

**Foodstuffs—Inspection of Places Where Produced or Sold. (Chap. 23, Act Mar. 2, 1915.)**

SECTION 1. Section 3, chapter 15, laws of 1911, is hereby amended by striking out the following words, "And if any person, firm, or corporation is found to be violating any of the provisions of this act, then the State board of health shall issue an order to the aforesaid to abate the condition or practice in violation, within such time as may be deemed reasonably sufficient therefor," and inserting in place thereof the following: "In the event that a person infected with any communicable disease is employed, or if structural alterations are necessary for the protection of food products as herein required, the State board of health shall issue an order prohibiting the employment of such person, or requiring such structural changes as in the opinion of the board are necessary," so that the said section as amended shall read:

SEC. 3. The State board of health, or its inspectors, or special agents designated for that purpose, shall have full power and authority at all times to enter and inspect every building, room, or other place occupied or used for the production, storage, sale, or distribution of food, and all utensils and appurtenances relating thereto. In the event that a person infected with any communicable disease is employed, or if structural alterations are necessary for the protection of food products as herein required, the State board of health shall issue an order prohibiting the employment of such person, or requiring such structural changes as in the opinion of the board are necessary. Such order shall be transmitted by registered mail, and the receipt of the Post Office Department therefor shall be prima facie evidence of its receipt by the person or persons affected.

**Water Supplies—Prevention of Pollution of. (Chap. 92, Act Mar. 31, 1915.)**

SECTION 1. Chapter 205 of the Laws of 1913, entitled "An act to control the further pollution of streams, lakes, and rivers and the protection of water supplies," is hereby amended by striking out sections 3 and 4, and inserting in place thereof the following:

"SEC. 3. No person, corporation, or association, supplying water to the public for domestic use, shall have resort to, hold in reserve, or maintain a connection through which water may be received from any auxiliary or emergency source of supply, the quality of which has not been approved by the State board of health and under regular inspection thereby, unless such source shall have been duly declared to and registered by the said board. Every valve, gate, or other device for controlling or preventing the inflow of water of such unapproved character to the public supply-pipe system must be of such construction as to permit of effective sealing or inspection, and such valves, gates, or other devices shall be kept under or subject to the seal and inspection of the State board of health. Whenever it shall become necessary to break such seal or to resort to an unapproved emergency source, notice thereof within 24 hours shall be conveyed to the said board by telephone or telegraph and also by mail. The State board of health shall have full control and oversight of emergency intakes. It may, when feasible and deemed necessary for the protection of public health, upon reasonable notice require the abandonment of any existent emergency source and the adoption of other means of supply; and if in its judgment the circumstances warrant, it may order the permanent installation and continuous maintenance in connection therewith of some approved form of disinfecting apparatus or equipment. In case said board shall require the abandonment of any such emergency source, the person, corporation, or association aggrieved thereby shall have an appeal to the superior court in term time or vacation, said appeal to be taken within 30 days from the receipt of the order from said board, and said court may make such orders thereon as justice may require.

"SEC. 4. Whoever violates any of the provisions of this act, or fails to comply with the lawful orders and requirements of the State board of health duly made and provided herein, or whoever hinders or obstructs any inspector in the pursuit of his lawful duty, shall be punished by a fine of not less than \$100 nor more than \$1,000."

**Habit-Forming Drugs—Possession of—Issuance of Search Warrants. (Chap. 157, Act Apr. 21, 1915.)**

SECTION 1. Amend section 1, chapter 251, of the public statutes, as amended by section 1, chapter 87, laws of 1901, by adding after division 7 of said section a division to be known as division 8 and the following words: "Cocaine or any of its salts, or any synthetic substitute for the aforesaid, or any preparation containing any of the same, morphine, heroin, codeine, or any derivatives of the same, kept for any purpose forbidden by law"; so that said section as amended shall read as follows:

SECTION 1. A justice or police court may issue a warrant for searching any place therein described, in the daytime, upon complaint, under oath, that it is believed that a person liable to arrest for a crime is concealed therein, or that gambling is carried on therein, or that any property or thing of any of the following kinds is kept concealed therein:

\* \* \* \* \*

8. Cocaine or any of its salts, or any synthetic substitute for the aforesaid, or any preparation containing any of the same, morphine, heroin, codeine, or any derivatives of the same, kept for any purpose forbidden by law.

**Habit-Forming Drugs—Sale and Dispensing. (Chap. 160, Act Apr. 21, 1915.)**

SECTION 1. Section 2 of chapter 162, Laws of 1909, as amended by section 1 of chapter 7, Laws of 1911, is hereby amended by inserting after the word "barroom" in the fifth line the words, pool room, news stand, or other places to which persons are



permitted generally to resort, and by inserting after the word "same" in the eighth line the words morphine, heroin, codeine, or any derivatives of the same; so that said section as amended shall read as follows:

"SEC. 2. It shall be unlawful for any person, firm, or corporation to sell, exchange, deliver, expose for sale, give away, or have in his possession or custody with intent to sell, exchange, deliver, or give away, in any street, way, square, park, or other public place, or in any hotel, restaurant, liquor saloon, barroom, pool room, news stand, or other places to which persons are permitted generally to resort, public hall, place of amusement, or public building, any cocaine or any of its salts, or any synthetic substitute for the aforesaid, or any preparation containing any of the same, morphine, heroin, codeine, or any derivatives of the same: *Provided, however,* That the foregoing provisions shall not apply to sales to apothecaries, druggists, physicians, veterinaries, and dentists, nor to sales by apothecaries or druggists upon the original prescription of a physician, provided the prescription is retained and kept on file as authority for the sale and not refilled."

**Drugs—Misbranding—Misrepresenting Curative Effects. (Chap. 62, Act Mar. 24, 1915.)**

The pure food and drug law of New Hampshire (chap. 48, act Mar. 7, 1907) was amended by the addition of the following paragraph to section 4:

"Drugs shall be deemed to be misbranded:

\* \* \* \* \*

"Third. If the package or label shall bear or contain any statement, design, or device regarding the curative or therapeutic effects of such article, or any of the ingredients or substance contained therein, which is false or fraudulent."

**Wood Alcohol—Sale of Preparations Containing, Prohibited—Labeling Required. (Chap. 3, Act Feb. 17, 1915.)**

SECTION 1. No person shall sell, offer for sale, deal in, or supply, or have in his possession with intent to sell, offer for sale, give away, deal in, or supply, any article of food or drink, or any medicinal or toilet preparation or perfume intended for human use internally or externally, which contains any wood naphtha, otherwise known as wood alcohol, or methyl alcohol, either crude or refined, under or by whatever name or trade-mark the same may be called or known.

SEC. 2. No person shall sell, offer for sale, give away, deal in, or supply any wood naphtha, otherwise known as wood alcohol or methyl alcohol, either crude or refined, under or by whatever name or trade-mark the same may be called or known, unless the container in which the same is sold, offered for sale, given away, dealt in, or supplied shall bear a notice containing the following conspicuously printed or stenciled thereon, viz:

POISON  
WOOD NAPHTHA  
or WOOD ALCOHOL

WARNING—It is unlawful to use this fluid in any  
article of food, beverage, or medicinal or toilet  
preparation for human use internally or externally.

SEC. 3. No person shall sell or offer for sale any alcohol which has been denatured by the addition of wood or methyl alcohol, unless the container in which the same is sold or offered for sale shall be conspicuously labeled in red with the words: Poison. Denatured Alcohol.

SEC. 4. Whoever violates any provision of this act shall be punished by a fine not exceeding \$200, or by imprisonment not exceeding 30 days, or both such fine and imprisonment. Chapter 16, Laws of 1911, entitled "An act relating to the labeling of wood alcohol," is hereby repealed.

**Domestic Animals—Communicable Diseases—Tuberculin Test. (Chap. 125, Act Apr. 15, 1915.)**

SECTION 1. Amend chapter 113 of the public statutes by striking out the whole of section 18 and substituting the following:

"SEC. 18. Any person who shall sell, offer for sale, trade, or barter any horse infected by the disease known as glanders, or swine infected by the disease known as hog cholera, or expose the same or allow them to be exposed upon any highway or in any public place or pasture, shall be fined a sum not exceeding \$100 or confined 30 days in jail, or both, for each offense."

SEC. 2. The commissioner of agriculture may make an examination of any animal or animals, owned by any person or persons within this State, reported to him as being tubercular; and if in his judgment he deems necessary, he may cause to be made a tuberculin test, provided that the owner or agent shall agree in writing to improve sanitary conditions, to disinfect his premises should diseased cattle be found, to agree to slaughter animals responding to such test or hold them in quarantine pursuant to the directions of the commissioner of agriculture, and to follow instructions designed to prevent the reinfection of the herd, or to suppress the disease or prevent the spread thereof. Any bovine animal in which tuberculosis is diagnosed by a physical examination or the tuberculin test, or both, which is not immediately slaughtered, shall be marked by inserting in the left ear a metal tag or button upon which is stamped a number and the capital letter T; and a record of each number, with a full and complete description of each animal, shall be kept by the commissioner of agriculture, and he is authorized to make regulations whereby animals reacting to the tuberculin test, which show no marked physical indications of disease, may be retained by the owner and used for breeding purposes, and the dairy products of such animals may be sold under regulations made by the State board of health: *Provided, however,* That any bovine animal slaughtered by order of the commissioner shall not be appraised more than \$100.

SEC. 3. It shall be unlawful for any person to sell, offer for sale, trade, or barter any bovine animal known to have a communicable, infectious, or contagious disease, except for immediate slaughter under the inspection of State or Federal authorities, or by written permit from the commissioner of agriculture under such regulations which may be hereafter made and provided.

**Domestic Animals—Running at Large—City Councils May Regulate or Prohibit. (Chap. 55, Act Mar. 17, 1915.)**

SECTION 1. Subdivision 9 of section 10, chapter 50, of the public statutes, is hereby amended by striking out the whole of said section and inserting instead thereof the following: "9. To regulate, restrain, or prohibit the keeping or running at large of horses, cattle, sheep, swine, geese, goats, and other poultry and animals, or any of them, to create the limits of districts within which the same may be kept and the conditions and restrictions under which they may be kept, to provide penalties for the violation of any ordinance or regulation relating thereto, not exceeding a fine of \$20 or imprisonment not exceeding 30 days for the first offense, or both, and not exceeding a fine of \$100, or imprisonment not exceeding six months, or both, for any subsequent offense."

**Mental Defectives—Marriage of. (Chap. 161, Act Apr. 21, 1915.)**

SECTION 1. No woman under the age of 45 years, or man of any age—except he marry a woman over the age of 45 years—either of whom is an epileptic, imbecile, feeble-minded, idiot, or insane person, shall hereafter intermarry or marry any other person within this State.

SEC. 2. No clergyman, or other officer authorized by law to solemnize marriages within this State, shall hereafter perform a marriage ceremony uniting persons in

marriage, either of whom is an epileptic, imbecile, feeble-minded, idiot, or an insane person, unless the female party to such marriage is over the age of 45 years.

SEC. 3. No city clerk or other authorized officer shall issue a license for the marriage of an epileptic, imbecile, feeble-minded, idiot, or insane person, unless the female party to such marriage is over the age of 45 years. Should any question arise as to whether or not applicant for license to marry is epileptic, imbecile, feeble-minded, idiot, or an insane person, each of the contracting parties shall procure an affidavit from one duly licensed physician, other than the person seeking the license, showing that the contracting parties are not epileptics, imbeciles, feeble-minded, idiots, or insane persons.

SEC. 4. Any person who knowingly violates any of the provisions of this act, or any person knowingly swearing falsely to any of the affidavits mentioned in this act, shall be punished by a fine of not less than \$50 or more than \$500, or by imprisonment in jail not over 30 days, or by both such fine and imprisonment.

**Schools—Sanitation of. (Chap. 35, Act Mar. 10, 1915.)**

SECTION 1. The State board of health shall upon complaint of any responsible person investigate the sanitary conditions of any schoolhouse or building used for school purposes.

SEC. 2. If they shall find that such schoolhouse or building is in any respect a menace, or likely to become a menace, to the health or bodily welfare of the pupils or teachers, they shall call the attention of the local board of health to the facts; and if after a reasonable length of time the complaint has not been attended to in a satisfactory way, they shall either order such changes as will in their judgment make the building safe and sanitary for school purposes, or condemn the same and forbid its further use.

SEC. 3. It shall be the duty of the school board of the district forthwith to make the changes ordered, and the cost of the same shall be a charge upon the district. The selectmen shall assess the cost upon the polls and ratable estate of the district in addition to money voted by the district or required by law for the support of schools. In anticipation of such assessment the school board may borrow money on the credit of the district to meet the charges incurred.

## NEW JERSEY.

### **Rabies—Notification of Cases in Animals—Confinement of Dogs—Pasteur Treatment Free. (Chap. 291, Act Apr. 14, 1915.)**

1. It shall be the duty of all persons owning or having interest in, or having in their possession or under their control, or having knowledge of any dog or cat, or other animal, affected by rabies, or suspected of being affected by rabies, or that has been bitten by any animal known or suspected to be affected by rabies, to forthwith notify the local board of health of the sanitary district in which such animal is located. Such notification shall be in writing, signed by the person making the same, and shall state where such animal may be found.

2. It shall be the duty of the local board of health of every township, city, borough, town, village or other local municipal government in this State, to serve a notice, in writing, upon the owner or other person having control over any dog, cat, or other animal known or suspected to have been bitten by an animal known or suspected to be affected by rabies, requiring such owner or person having control of such animal either to kill such animal or securely confine such animal for a period of not less than six months, and any such animal so confined shall not be released until a written certificate of release has been issued by the local board of health.

3. Whenever the local board of health of any sanitary district in this State or any officer or inspector thereof has reason to believe or has been notified by the State board of health that there is danger that rabies is liable to spread in the district in which said board has jurisdiction, such board, officer, or inspector shall cause a notice, in writing, to be served on all persons within said district (so far as the same may be known to said board, officer, or inspector) owning, having interest in, or having in their possession or under their control any dog, or dogs, requiring such persons to securely confine said dog, or dogs, until a permit has been issued, in writing, by such board for the release of such dog, or dogs. Other animals may be included in the order whenever, in the opinion of the said board of health, this is necessary.

4. The local board of health of any city, borough, town, village, or township in this State is hereby authorized to furnish the Pasteur treatment for any indigent person residing therein who has been bitten by an animal known or suspected to be affected by rabies, and any expense thus incurred shall be provided for by the body having control over the finances of said city, borough, town, village, or township in the same manner that the regular funds of the board are provided for.

5. Whenever the board of health of the State of New Jersey shall have knowledge that the disease known as rabies or hydrophobia exists among dogs or other domestic animals in any sanitary district in the State of New Jersey, and, in the judgment of the State board of health, the disease is liable to be introduced and spread among animals in an adjoining sanitary district, the said board of health may issue an order requiring the local board of health, or any officer or inspector thereof, of any sanitary district in this State to serve the notice provided for in section 3 of this act, and to cause its provisions to be enforced. Any local board of health, or any officer or inspector thereof, shall furnish information to the State board of health concerning the prevalence of rabies in the sanitary district in which said board, officer, or inspector has jurisdiction whenever or as often as requested to do so by the said State board of health.

6. The State board of health shall, within 30 days after the approval of this act, prepare a circular containing a description of the symptoms, methods of transmission,

treatment and the preventive measures to be taken against the spread of rabies or hydrophobia, and, upon application, shall provide with sufficient copies thereof for distribution, as hereinafter provided, to the person in each sanitary district in this State who is empowered under the law to register or license dogs, and if there be no provision for such person in any sanitary district of this State, the local board of health is empowered to act, and such person or board shall apply to the State board of health for a sufficient number of such circulars, and shall, at the time of such registration, furnish a copy of said circular to each person who may register or obtain a license for a dog.

7. Any person or persons who shall violate any of the provisions of this act or the provisions of any notice served thereunder shall be liable to a penalty of \$50 for the first offense and \$100 for each subsequent offense, such penalties to be collected in an action of debt brought by and in the name of the local board of health or the board of health of the State of New Jersey.

8. Nothing in this act shall be construed to change or affect the provisions of any act or parts of acts conferring upon the mayor or governing body of any municipality the power to enforce measures for the restriction and control of rabies.

**Communicable Diseases—County Hospitals—Issuance of Bonds for Erection and Maintenance. (Chap. 70, Act Mar. 22, 1915.)**

1. To meet the further expenses to be incurred under the provisions of the act to which this is a further supplement for the acquisition of lands and the erection thereon of a suitable building or buildings to be used for a hospital for contagious or infectious diseases and for the furnishing and maintenance of the same in any county of this State, the board of chosen freeholders may, from time to time, in addition to any bonds theretofore authorized by law, in the name and on the credit of said county, borrow money by issuing the bonds of said county to a sum not exceeding, in the aggregate, \$300,000 over and above the total amount theretofore authorized by law, such bonds to run for a term not exceeding 40 years, to bear interest at a rate not exceeding 4½ per cent per annum, payable semiannually; such bonds shall not be sold or disposed of at less than their par value and may be made payable at any place which the board of chosen freeholders may determine, and they shall also determine the form of the bonds. A sinking fund shall be established by said board of chosen freeholders on the issuing of any such bonds, sufficient with the accumulations thereof to extinguish the principal of said bonds so issued when due. The principal and interest of the bonds issued under the authority of this act shall be the debt or obligation of the county wherein they are issued and the payment thereof shall be provided for by taxation in the same manner that other debts and obligations of the county are provided for by taxation.

**Communicable Diseases—Hospitals in Cities—Issuance of Bonds for Erection and Maintenance. (Chap. 384, Act Apr. 21, 1915.)**

1. Section 1 of the act hereby amended [an act to amend an act entitled "An act to authorize and provide for the establishment and maintenance of hospitals for contagious diseases for cities in this State," approved Mar. 23, 1900, which amendment was approved Mar. 18, 1913] be, and the same is, amended so as to read as follows:

"1. Whenever the board of health of any city of this State shall, by resolution passed by the votes of a majority of the members thereof, declare that it is necessary to establish and maintain in and for such city a hospital which shall be devoted exclusively to the treatment and relief of persons suffering from contagious and infectious diseases, and setting forth the estimated cost thereof, a copy of the said resolution, certified under the hands of the president or chairman and secretary or clerk of such board or body, shall be forthwith transmitted to the common council, board of alder-

men, or other board having charge and control of the finances of such city, and thereupon such financial board, by resolution, shall make an appropriation or appropriations as hereinafter mentioned; that is to say, in all cities having by the census last preceding the adoption of such resolution a population of not more than 15,000, a sum not exceeding \$10,000; in all cities having by such census a population exceeding 15,000 and not exceeding 30,000, a sum not exceeding the sum of \$20,000; in all cities having by such census a population exceeding 30,000 and not exceeding 100,000, a sum not exceeding the sum of \$75,000; and in all cities having by such census a population exceeding 100,000, a sum not exceeding the sum of \$100,000, nor shall the minimum of such appropriations be less than one-fourth of the said amounts in each case, respectively; for the purchase of lands, if required, and the erection and furnishing of a suitable building or buildings in and for such city by such board of health, and upon the adoption of such resolution by such financial board, such board shall from time to time issue bonds in the corporate name of such city for the amount so appropriated, which bonds shall be of such denomination as such financial board shall determine, and shall be made payable in not less than 20 years nor more than 50 years; they shall bear interest at a rate not greater than 4½ per cent per annum, which shall be payable semiannually, and may be registered or coupon bonds, or may be registered and coupon bonds combined, at the option of said financial board; they shall be sold at public or private sale, but for not less than par and accrued interest, and there shall be raised by tax in each year the interest on the whole amount of the bonds so issued, together with at least 1 per cent per annum of the principal of such bonds for a sinking fund, to be paid to the commissioners of the sinking fund of such city for the purpose of meeting the said bonds when they shall become due; there shall further be raised in each annual tax levy in any city for which such hospital is established an amount sufficient to provide for the support and maintenance of such hospital in that year: *Provided, however,* That no city shall issue bonds under the provisions of this act where the amount of such bonds, together with all other funded and floating indebtedness of such city then outstanding after deducting the available sinking fund thereof, shall exceed 10 per cent of the valuation of the real and personal property of said city as assessed for municipal purposes for the year next prior to the incurring of such indebtedness.

"And whenever any city has already erected such a hospital, but has not sufficient funds to fully furnish or equip the same out of the proceeds of bonds already sold hereunder, then in any such case the common council, board of aldermen, or other board having charge of and control of the finances of said city, on the request of the board of health of said city, may issue additional bonds hereunder in a sum sufficient to fully and properly equip and furnish such hospital: *Provided, however,* That the total of such additional bonds, together with those already issued, shall in no case exceed the amount authorized to be originally issued hereunder in any such city."

**State Department of Health—Organization, Powers, and Duties. Director of Health—Appointment and Duties. Codification of Health Laws. (Chap. 288, Act Apr. 14, 1915.)**

1. The department of health is hereby established, and the same shall be governed by a board of eight members, to be known as the "department of health of the State of New Jersey." Not more than four of the members of the board shall be members of the same political party, and all of said members shall be residents of this State. At least three of the members shall be physicians, at least one a veterinarian, and at least two sanitary engineers.

2. The members of the department of health shall be appointed by the governor, by and with the advice and consent of the senate, for the following terms, to commence on the 1st day of July, 1915: Two for one year, two for two years, two for three years, two for four years. Annually thereafter, two members shall be appointed for a

term of four years. Vacancies shall be filled for the unexpired terms. The board shall meet in the statehouse in Trenton at such times as its rules may prescribe in each and every month, and at such other times and places within the State as, in its judgment, may be necessary. The board shall elect one of its members president, who shall hold office for one year and until his successor shall be elected.

The members of the department of health shall receive no compensation for their services, but the State treasurer shall, upon the warrant of the State comptroller, pay their necessary expenses.

3. The board shall select a person who shall be known as the "director of health," and who shall be a resident of this State, and shall be a man skilled in sanitary science, and shall have had actual experience in an administrative or executive capacity in some well-organized department of public health. In case the board can not agree, because of a tie vote therein, upon the selection of a director, the governor shall be requested to sit with said board for the purpose of casting the deciding vote. Said director of health shall receive a salary of not more than \$5,000 per annum, to be paid out of the treasury of this State as the salaries of other employees are now or may hereafter be paid. He shall devote his entire time to the duties of his office and shall serve for a term of 4 years and until his successor has been appointed and qualified.

4. The powers and duties of the department of health of the State of New Jersey shall be as follows:

(a) It shall exercise all the powers and perform all the duties now exercised and performed by or conferred and charged upon the board of health of the State of New Jersey.

(b) It shall enact rules to regulate the transaction of its business.

(c) It shall enact a State sanitary code, which shall contain such rules and regulations the observance of which, in its opinion, will promote health and prevent disease. It shall prescribe the time when each rule or regulation shall take effect, and it shall cause a copy of the code and of each amendment or addition thereto to be sent to each local board of health or to the governing body of each municipality. Such code shall supersede as to those matters to which it relates all local ordinances, rules, and regulations and shall be observed throughout the State and enforced by all local health authorities. Nothing herein contained, however, shall be deemed to limit the right of local health authorities to make such further ordinances, rules, and regulations as, in their opinion, may be necessary for the particular locality under their jurisdiction: *Provided*, That such ordinances, rules, and regulations do not conflict with the laws of the State or the State sanitary code.

(d) It shall call to the attention of local health authorities any failure on their part to enforce the laws of the State or the State Sanitary Code, and afford them an opportunity to explain their failure. Its determination as to what is a reasonable notice shall be conclusive. If, after a hearing, it finds that no good reason exists for the failure of the local health authorities to enforce the law or the Sanitary Code, it shall issue an order directing them to do so. If the local health authorities fail to comply with such order within the time specified, or if none is specified, within a reasonable time, the department of health shall itself take such action as may be necessary to perform the acts specified in the order. Any contracts which it may make for such purpose shall be binding upon the local municipality and shall be deemed to have the same force and effect as if duly authorized and made by the local health and municipal authorities. Any moneys expended by the State, and the amount of all obligations incurred by the department of health of the State of New Jersey to comply with such order, may be recovered in an action of debt, in its name, in any court of competent jurisdiction, such sum, when recovered, to be paid into the treasury of this State, from the municipality the health officers of which fail to comply with the order. In all legal proceedings the order of the department of health of the State of New Jersey

shall be prima facie evidence of compliance with the provisions of this law and conclusive evidence of the violation recited in it.

(e) It may prescribe, unless otherwise provided by law, the qualifications of health officers and of all nurses.

(f) It shall fix the salaries of all employees.

(g) It may issue subpoenas signed by its president and secretary requiring the attendance of witnesses and the production of books and papers in any part of the State, before it or any of its committees or before the director of health, and any person who, being served with a subpoena issued pursuant to the provisions of this act, shall fail to attend or who shall fail to give testimony, unless such testimony incriminate him or subject him to a fine or punishment, shall be liable to a penalty of \$500 for each and every offense, to be recovered in the name of the State of New Jersey; said penalty, when recovered, to be paid into the treasury of the State of New Jersey; and it shall be the duty of the attorney general to prosecute any and all actions for the recovery of penalties, when requested so to do, and when in his judgment the facts and the law warrant such prosecution.

(h) The department of health of the State of New Jersey shall report annually to the legislature.

(i) The board shall also have power to create subdepartments or divisions, to take specific charge of the different lines of work contemplated in this act, and shall upon the recommendation of the director appoint heads or chiefs of such subdepartments or divisions, at salaries to be fixed by said board.

5. The powers and duties of the director of health of the State of New Jersey shall be as follows:

(a) He shall attend all meetings of the board and shall be ex officio its secretary.

(b) He shall perform all the duties now imposed by law on the secretary of the board of health of the State of New Jersey at the time this act takes effect.

(c) He shall exercise general supervision over all matters relating to sanitation and hygiene throughout the State.

(d) He shall be and he hereby is charged with the enforcement of all laws relating to the health of the people of the State, and of the provisions of the State Sanitary Code.

(e) He shall be and he hereby is charged with the collection, preservation, and tabulation of all information required by law in reference to births, marriages, deaths, and all vital facts.

(f) He shall, when the board is not in session, exercise the powers conferred upon it in subdivision D of section 4 of this act, and any order issued by him shall have the same force and effect as if issued by the said board.

(g) Whenever the approval of the department of health of the State of New Jersey is required to any act, plan, paper, or proposed undertaking, he shall examine the same, and, when in his opinion it is necessary, he shall conduct hearings and examine witnesses, and he shall report to the board what he has done with his recommendations.

(h) He shall prepare a monthly health bulletin and cause the same to be distributed among the local health authorities.

(i) He shall confer, from time to time, with the commissioner of education and cooperate with such commissioner of education so that, from time to time, health bulletins shall be distributed among all the public schools of the State and the children educated in sanitation and hygiene.

(j) At least once in every year he shall call together local health officials for a general conference on the subject of the health of the people of the State, and a discussion of ways and means to promote the same and to prevent disease.

(k) He shall be a member ex officio of each county mosquito extermination commission, and shall cooperate with them for the effective carrying out of their plans and work.



(l) He shall obtain, collect, and preserve such information relating to the health of the people of the State and to the prevention of disease as may be useful in the discharge of his duties, or as may contribute to the welfare of the people of the State.

(m) He shall, whenever in his opinion it is necessary or advisable, or when directed by the board so to do, make a sanitary survey of the whole or any part of the State, and it shall be the duty of all local health officials for such purpose to furnish such information as he may demand, and to perform such acts as he may direct, with regard to, and within, the territory under their jurisdiction.

(n) He shall, from time to time, recommend to the board such changes and additions as he thinks should be made to the State Sanitary Code.

(o) He shall report to the board upon such matters, and at such times, as may be prescribed in its rules.

(p) He may, and any person authorized by him so to do may, without fee or hindrance, enter upon, examine, and survey all sources and means of water supply, all sewage disposal plants, all sewage systems, all prisons, public and private places of detention, asylums, hospitals, schools, public buildings, private institutions, factories, workshops, tenements, and also any premises in which he has reason to believe there exists a violation of any health law of the State or of any provisions of the State Sanitary Code.

6. The provisions of the sanitary code shall have the force and effect of law, and any violation of any portion thereof shall be punishable by a penalty of not less than \$25 nor more than \$100, to be sued for and recovered by the director of health or by the local health officer, local board of health, or other board or officer exercising the powers of a local board of health, of any local jurisdiction within which such violations may occur, in the same manner as penalties incurred for violation of an act entitled "An act to secure the purity of foods, beverages, confectionery, condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof" (Revision of 1907), and approved May 20, 1907.

7. Whenever it is necessary for the department of health of the State of New Jersey to hold any hearings or to make any investigation under this or any law or rule, such hearings or investigation may be held or made by the direction of the board in accordance with such rules as it may prescribe before it or by the director of health, who shall submit to the board the evidence taken by him, together with his opinion thereon and his recommendations in regard thereto.

8. The board, by its presiding officer, each of its committees by their chairman, and the director of health, shall have authority to administer oaths and to examine under oath in any part of the State witnesses in any matter relating to the powers and duties of the board, or of the director, or of the health of the people of the State, or the prevention of disease. Any person who, having been sworn by the presiding officer of the board, or the chairman of any of its committees, or by the director of health, willfully gives false testimony, shall be guilty of perjury.

9. Immediately upon the establishment of the department of health of the State of New Jersey it shall become the duty of said department to codify the various laws relating in any way to the health of the people of this State, which have been passed from time to time, and relating to or concerning the department in any manner whatsoever, which codification shall set forth in a clear and comprehensive manner the origin of the department, meaning thereby its consolidation with the board of health of the State of New Jersey, the creative act of said board, after which shall follow, in their proper order, all existing acts amendatory thereof and supplementary thereto, and all acts relating to its consolidation (if any there has been) with any other board or boards, commission or commissions, department or departments. Said work of codification shall continue from year to year after the principle herein set forth, with the idea of preserving in concrete form the history and development, or evolution, so to speak, of the present department of health of the State

of New Jersey, established by this act, and contributing materially to a better and more comprehensive understanding of all laws relating thereto, and of the powers and duties devolved upon said department of health hereby created by said act.

10. The director of health may be removed by the governor after a hearing: *Provided*, That charges against him have been submitted, in writing, signed by a majority of the members of the board: *And provided further*, That the governor finds such charges to be true in fact and their nature such that, in his opinion, the best interests of the State demand the removal of the director.

11. All of the employees of the department of health shall be appointed and shall hold their positions subject to the provisions of an act entitled "An act regulating the employment, tenure, and discharge of certain officers and employees of this State and of the various counties and municipalities thereof, and providing for a civil-service commission, and defining its powers and duties," approved April 10, 1908.

12. The employees now in the employ of the board of health of the State of New Jersey shall be retained in their present offices or positions and shall continue as employees of the department of health, unless removed in accordance with the provisions of an act entitled "An act regulating the employment, tenure, and discharge of certain officers and employees of this State and of the various counties and municipalities thereof, and defining its powers and duties," approved April 10, 1908. The director of health, however, may, with the approval of the board, abolish any office or position which in his judgment may be unnecessary to retain.

13. All acts and parts of acts inconsistent with the provisions of this act be, and the same are hereby, repealed, and this act shall take effect on the 1st day of July, 1915: *Provided, however*, That if any section or parts thereof of this act shall be questioned in any court and shall be held to be unconstitutional and void, the sections or parts thereof so declared to be invalid shall be excised and the balance of the act shall stand as though said sections or parts thereof had never been included within the provisions of this act.

#### **Health Officers of Cities—Retirement on Pension. (Chap. 236, Act Apr. 8, 1915.)**

1. Whenever any health officer or other chief officer of the local board or department of public health in any city of the first class in this State has or shall have been for 25 years continuously in public office or position in such city, and has or shall have attained the age of 60 years, it shall be lawful, with his assent, for the body, board, or officer having power to appoint his successor in case of vacancy, to order his retirement from such service, or he shall be retired upon his own request.

2. In case of such retirement the person so retired shall be entitled, for and during his natural life, to receive, by way of pension, such sum as said body or board may by resolution determine, not exceeding, however, one-half of the salary then being received by him for such service, the same to be paid in the same way and in the same installments in which such salary has heretofore been payable.

3. Provision for all pensions arising under this act shall be made in the appropriation or tax levy for the department of the public service from which such person shall be retired, and no pension shall cease or become invalid by reason of the abolition of the department or office in which he served, or any change in its title.

#### **Meat and Meat Products—Use of Preservatives from Which Sulphur Dioxide Can Be Liberated Prohibited. (Chap. 74, Act Mar. 24, 1915.)**

1. No person shall distribute or sell, or have in his possession with intent to distribute or sell, any meat or meat product to which any sodium sulphite, sodium bisulphite, or any drug, chemical, chemical compound, or preservative, from which sulphur dioxide can be liberated, has been added thereto or mixed therewith.

2. Every person who shall violate any of the provisions of this act shall be liable to a penalty of \$50 for the first offense and to a penalty of \$100 for the second and each subsequent offense. Payment of a penalty for any alleged violation of this act either before or after the institution of proceedings for the collection thereof, shall, for the purposes of this act, be deemed equivalent to a conviction of the violation for which such penalty was claimed.

3. This act shall be enforced by the same boards and in the same manner as the act to which this act is a supplement, and all penalties incurred under this act shall be sued for and recovered by the same boards and in the same manner as penalties incurred under provisions of the act to which this act is a supplement.

**Foods and Drugs—Adulteration and Misbranding. (Chap. 73, Act Mar. 24, 1915.)**

1. Section 4 of the act to which this is an amendment [“An act to amend an act entitled ‘An act to secure the purity of foods, beverages, confectionery, condiments, drugs and medicines, and to prevent deception in the distribution and sales thereof (revision of 1907),’ approved May 20, 1907,” approved April 16, 1908] be, and the same is hereby, amended so as to read as follows:

4. The term “misbranded” as used herein shall apply to all drugs or articles of food, or articles which enter into the composition of food, the package or label of which shall bear any statement, design, or device regarding such article, or the ingredients or substances contained therein, which shall be false or misleading in any particular, and to any food or drug product which is falsely branded as to the State, Territory, or country in which it is manufactured or produced.

For the purpose of this act an article shall also be deemed to be misbranded—

In the case of drugs:

First. If it be an imitation of or offered for sale under the name of another article.

Second. If the contents of the package as originally put up shall have been removed, in whole or in part, and other contents shall have been placed in such package, or if the package fail to bear a statement on the label of the quantity or proportion of any alcohol, morphine, opium, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, acetanilide, acetphenetidine, phenacetin, or antipyrin, or any derivative or preparation of any such substance contained therein: *Provided*, That nothing in this subdivision contained shall be construed to apply to such preparations as are specified and recognized by the United States Pharmacopœia or National Formulary, which are in accordance therewith, or to the compounding of family or domestic recipes, or the filling of prescriptions furnished by practicing physicians, dentists, or veterinarians, the originals of which recipes and prescriptions are retained and filed by the druggists compounding or filling the same: *And provided, further, however*, That nothing in this act contained shall be construed to apply to such drugs or medicines as are personally dispensed by legally licensed physicians, dentists, or veterinarians in the course of their practice as such physicians, dentists, or veterinarians.

Third. If its package or label shall bear or contain any statement, design, or device regarding the curative or therapeutic effect of such article or any of the ingredients or substances contained therein which is false or fraudulent.

In the case of food:

First. If it be in imitation of or offered for sale under the distinctive name of another article.

Second. If it be labeled or branded so as to deceive or mislead the purchaser, or purport to be a foreign product when not so, or if the contents of the package as originally put up shall have been removed, in whole or in part, and other contents shall have been placed in such package, or if it fail to bear a statement on the label of the quantity or proportion of any morphine, opium, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, acetanilide, acetphenetidine or phenace-

tin or antipyrin, or any derivative or preparation of any such substances contained therein.

Third. If in package form, the quantity of the contents be not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count: *Provided, however*, That reasonable variations shall be permitted, and that the State board of health shall, by resolution, fix such tolerances and exemptions as to small packages as shall have been or may hereafter be fixed by the Secretary of the Treasury, the Secretary of Agriculture, and the Secretary of Commerce and Labor of the United States of America, and such tolerances and exemptions shall be published at the end of the session laws of the legislature next thereafter published after the adoption of said resolution, and such tolerances and exemptions as fixed in said resolution shall take effect when so published: *Provided, however*, That if any such tolerance or exemption so adopted shall be changed by the three Secretaries above mentioned, it shall not continue in effect in this State after such change has become effective.

Fourth. If the package containing it, or its label shall bear any statement, design, or device regarding the ingredients or the substances contained therein, which statement, design, or device shall be false or misleading in any particular.

2. All acts or parts of acts inconsistent with the provisions of this act be, and the same are hereby, repealed, and this act shall take effect on the 1st day of September, 1915.

**Pure Food and Drugs Act—To be Enforced by Municipal Boards of Health. (Chap. 243, Act Apr. 8, 1915.)**

1. Section 30 of the act of which this act is amendatory ["An act to secure the purity of foods, beverages, confectionery, condiments, drugs, and medicines, and to prevent deception in the distribution and sales thereof" (revision of 1907), approved May 20, 1907] be, and the same is hereby, amended to read as follows:

30. The board of health of any municipality in this State shall enforce the provisions of this act within said municipality, and shall have the power to designate from among its sanitary inspectors one or more inspectors who shall be known as inspector or inspectors of foods and drugs of such municipality, and whose duties shall be, besides the usual duties of a sanitary inspector in such municipality, to aid in the enforcement of this act in such municipality, and who shall have within the limits of such municipality all the powers and authority given to any inspector appointed under the provisions of this act. Such board may also appoint one or more analysts.

**Pasteurization of Milk and Cream—State Board of Health to Regulate and License Establishments. (Chap. 285, Act Apr. 13, 1915.)**

1. No person, firm or corporation, producing, buying, or receiving milk or cream for the purpose of selling the same shall sell or offer for sale as pasteurized milk or cream any milk or cream unless it has been pasteurized in accordance with the rules and regulations adopted by the board of health of the State of New Jersey under authority contained in section 2 of this act. No person, firm, or corporation shall operate or conduct an establishment for the pasteurization of milk or cream until a license shall first have been granted by the board of health of the State of New Jersey to such person, firm, or corporation, authorizing such person, firm, or corporation to engage in the business of pasteurizing milk or cream at a place designated in said license. Said license shall be granted by said board under such rules and regulations as the said board may from time to time adopt.

2. The board of health of the State of New Jersey shall have the power to adopt, promulgate, and enforce rules and regulations regarding the pasteurization of milk and cream, and said board may fix the temperature at which such milk and cream shall be pasteurized, and the time at which such milk or cream shall be held at such temperature.

3. After milk, cream, or other milk products have been pasteurized they shall be immediately cooled and kept at a temperature of 50° F. or below until distributed or sold. Any person, firm, or corporation who shall violate any of the provisions of this act or who shall disobey any rule or regulation adopted by the board of health of the State of New Jersey, under authority contained in this act, shall be liable to a penalty of \$50 for each offense, to be recovered in an action of debt by the board of health of the State of New Jersey, said penalty when recovered to be paid into the treasury of this State.

**Milk and Other Dairy Products—Exposed to Infection—State Board of Health May Prohibit Sale. (Chap. 339, Act Apr. 15, 1915.)**

1. When the State board of health, or any officer or employee thereof duly authorized in writing by such board to act for or in its behalf, shall have reason to believe that any milk, cream, skimmed milk, or other dairy product of any kind or character, has been contaminated by the emanations, exhalations, or discharges of any person affected with any communicable disease, or that any milk, cream, skimmed milk, or other dairy product of any kind or character, has been or is produced, stored or kept on any premises upon which any infection which may cause a communicable disease exists, it shall be lawful for the said State board of health, or officer or employee authorized to act in the premises, as aforesaid, to issue an order in writing, prohibiting the transportation or sale of any such milk, cream, skimmed milk, or other dairy product. Every person upon whom any such order may be served shall be bound by such prohibition, and the said prohibition shall continue until the said board of health, or the officer or employee authorized to act in the premises, as aforesaid, shall have had an opportunity to examine into said matter, and shall have removed the prohibition by the service of another order in writing signed by any officer of the said board of health, or by the officer or employee authorized to act in the premises, as aforesaid. Any person who shall, after having been served with such order of prohibition as aforesaid, prior to the removal of said prohibition transport or sell any milk, cream, skimmed milk, or other dairy product of any kind or character, the sale and transportation of which has been prohibited, as aforesaid, shall be subject to a penalty of \$100; any other person who shall knowingly transport or sell any milk, cream, skimmed milk, or other dairy product, the sale and transportation of which has been prohibited, as aforesaid, shall be subject to a penalty of \$100.

Any penalty incurred under the provisions of this act shall be sued for, recovered, and collected by the board of health of this State in the manner provided for the recovery of penalties in an act entitled "An act to prevent deception in the sale of oleomargarine, butterine, or any imitation of dairy products, and to preserve the public health," approved March 22, 1886, and the acts amendatory thereof and supplementary thereto.

2. An act entitled "A further supplement to the act entitled 'An act to establish in this State boards of health and a bureau of vital statistics, and to define their respective powers and duties,' approved March 31, 1887," which said supplement was approved April 21, 1898, and the acts amendatory thereof, be and the same hereby are repealed.

**Water, Potable—State Board of Health to Inspect Plant for Furnishing and Supervise Operation. (Chap. 378, Act Apr. 21, 1915.)**

1. Amend section 4 of the act ["A supplement to an act entitled 'An act to secure the purity of the public supplies of potable waters in this State,' approved March 17, 1899," approved April 21, 1909] to which this act is amendatory, so that it shall read as follows:

4. The board of health of the State of New Jersey shall have the supervision of the operation of all water plants throughout the State with respect to the purity of the

supply of potable water furnished by any such water plant, and every person or corporation furnishing water for potable use shall comply with any and all orders of the board of health of the State of New Jersey relating to the purity of such waters. The board of health of the State of New Jersey shall cause to be collected (by its inspectors, or other authorized agents) as often as they shall deem necessary (but not less than four times a year) a sample or samples of the water supplied by each person or corporation furnishing water for potable use. Any person or corporation failing to allow the sample or samples for analysis to be collected as provided for in this section, or interfering with any member of the board of health of the State of New Jersey, or duly authorized agent or employee of said board, in the supervision of any water plant, shall be liable to a penalty of \$100, to be recovered in an action of debt by the board of health of the State of New Jersey.

**Habit-Forming Drugs—Sale and Dispensing of.** (Chap. 343, Act Apr. 19, 1915.)

1. Section 1 of the above-entitled act [“A supplement to an act entitled ‘An act for the punishment of crimes (revision of 1898),’ approved June 14, 1898,” approved April 13, 1908] be and the same is hereby amended to read as follows:

1. It shall be unlawful for any person, firm, or corporation to sell, furnish, give away, or deliver any cocaine, betauecaine, alphauecaine, tropocaine, novacaine, stovaine, alypin, or any salt, derivative or chemical compound of any of these substances, or any preparation, admixture, or compound containing any of these substances or their salts, derivatives, or chemical compounds, except upon the original written order or prescription of a duly licensed practitioner of medicine, dentistry, or veterinary medicine, which order or prescription, if ordered by a practitioner of veterinary medicine, shall state the kind of animal for which ordered. Such written order or prescription must be signed by the prescriber.

It shall be unlawful for any person, firm, or corporation to sell, furnish, give away, or deliver any chloral hydrate, opium, morphine, heroin, codeine, ethylmorphine (dionin), diacetyl morphine (heroin), or any salt, derivative, or chemical compound of any of the foregoing substances, or any preparation, admixture, or compound containing any of the foregoing substances or their salts, derivatives, or chemical compounds, except upon the original written order or prescription of a duly licensed practitioner of medicine, dentistry, or veterinary medicine, which order or prescription, if ordered by a practitioner of veterinary medicine, shall state the kind of animal for which ordered. Such written order or prescription must be dated and signed by the prescriber, and he must write thereon the name and address of the patient, and it may be again compounded or dispensed only if each fluid ounce, if a liquid, or each avoirdupois ounce, if a solid, contains not more than 2 grains of opium, or not more than one-quarter grain of morphine, or not more than 1 grain of codeine, or not more than one-eighth grain of diacetyl morphine (heroin), or not more than 40 grains of chloral hydrate, or not more than 1 of any salt or derivative of any drug herein named: *Provided*, That the above provision shall not apply to preparations sold or dispensed without a physician's prescription that contain not more than 2 grains of opium, or not more than one-quarter grain of morphine, or 1 grain of codeine, or one-eighth grain of diacetyl morphine in 1 fluid ounce, if liquid, or if a solid preparation, in 1 avoirdupois ounce, and not more than 1 of any salt or derivative of any drug herein named: *Provided, also*, That the above provisions shall not apply to liniments, ointments, or plasters containing opium and plainly marked “for external use.”

Any person violating any provision of this section shall be guilty of a misdemeanor.

2. Section 4 of the above-entitled act be, and the same is hereby, amended to read as follows:

4. It shall not be unlawful for any duly licensed practitioner of medicine, dentistry, or veterinary medicine to use, sell, or give away any of the substances, salts, derivatives, or admixtures or compounds mentioned in section 1 of this act for a legitimate

or necessary purpose in the practice of his profession. Any licensed practitioner of medicine, dentistry, or veterinary medicine who shall give to any person a prescription or order for or sell or give away any of the substances, salts, derivatives, admixtures, or compounds mentioned in section 1 of this act, except for a legitimate and necessary purpose in the practice of his profession shall be guilty of a misdemeanor.

3. Section 5 of the above-entitled act be, and the same is hereby, amended to read as follows:

5. It shall not be unlawful for any manufacturing chemist, wholesale druggist regularly engaged in the business of selling drugs, or any registered pharmacist to sell, supply, or deliver any of the substances, salts, derivatives, admixtures, or compounds mentioned in section 1 of this act upon the written order of another manufacturing chemist, wholesaler regularly engaged in selling drugs, or of a registered pharmacist, licensed practitioner of medicine, dentistry, or veterinary medicine, or to sell to hospitals, colleges, scientific or public institutions, or to the sale of opium and the preparations thereof, or its alkaloids, their salts and derivatives, upon the written order of a known manufacturer of proprietary medicine for the purpose of such manufacture: *Provided*, That such manufacturing chemist, wholesaler, or registered pharmacist shall affix or cause to be affixed to each bottle, box, or vessel or package containing any such article sold, and upon the outer wrapper of the package as originally put up, a red label distinctly displaying the name and quantity of the article sold and the word "Poison," with the name and place of business of the seller, and before making delivery of any such article make or cause to be made, in a book kept for that purpose, an entry of the sale thereof, stating the date of sale, quantity, name, and form in which sold, the name and address of the person purchasing the same, and by whom the same is made, and the said book shall be always open for inspection by the proper authorities, and shall be preserved for at least five years after the date of the last entry made therein.

It shall be unlawful for any person who is not a licensed practitioner of medicine, or dentistry, or veterinary medicine, or a manufacturing chemist, or a wholesale dealer regularly engaged in selling drugs, or a registered pharmacist, or a common carrier when engaged in the legitimate discharge of such public service, to bring into this State or have in possession any of the substances, salts, derivatives, admixtures, or compounds mentioned in section 1 of this act, except by reason of a prescription of a registered practitioner of medicine, dentistry, or veterinary medicine, or upon the written order of a registered pharmacist, manufacturing chemist, wholesale dealer in drugs: *Provided*, That the possession of opium and preparations thereof or the alkaloids or derivatives of opium by a known manufacturer of proprietary or patent medicines for the purpose of such manufacture shall not be unlawful. Any person violating any of the provisions of this section shall be guilty of a misdemeanor.

**Habit-Forming Drugs—Sale Prohibited Except on Prescription. (Chap. 24, Act Mar. 2, 1915.)**

1. Section 1 of the above-entitled act ["A supplement to an act entitled 'An act for the punishment of crimes (revision of 1898),' approved June 14, 1898," which said supplement was approved April 13, 1908] be, and the same is hereby, amended so as to read as follows:

1. Any person who shall sell, give away, furnish, or dispose of the alkaloid cocaine, or its salts, alpha, or beta eucaine, or their salts, opium, morphine, heroin, codeine, chloral, or any of the derivatives of chloral, or who shall sell, give away, furnish, or dispose of any of the admixtures of cocaine or eucaine or any patent or proprietary remedy containing cocaine or eucaine, except on the written prescription of a duly licensed and practicing physician, shall be guilty of a misdemeanor.

2. All acts or parts of acts contrary to the provisions of this act be, and the same are hereby, repealed.

**Nonalcoholic Drinks—Adulteration and Misbranding. (Chap. 357, Act Apr. 20, 1915.)**

1. No person shall distribute or sell, or manufacture for distribution or sale, or have in his possession with intent to distribute and sell, any beverage which is a nonalcoholic drink within the meaning of this act, which contains any boric acid or borate, salicylic acid or salicylate, formaldehyde, hydrofluoric acid, or fluoride, fluoborate, fluosilicate, or other fluorine compound, dulcin, glucin, saccharin, betanaphthol, hydro-naphthol, abrastol, asapol, compound of copper, pyroligneous acid, coal-tar dye (except the certified colors now permitted by the United States Department of Agriculture, to wit: Amaranth, ponceau 3 R., erythrosin, orange I, naphthol yellow S., light-green S. F. yellowish, indigo disulfo acid), saponin, except derived from soap bark or other substance deleterious to health.

2. No person shall distribute or sell, or have in possession with intent to distribute or sell, any nonalcoholic drink within the meaning of this act which is an imitation of any other nonalcoholic drink, unless the bottle or other container in which the same is contained is plainly marked with the word imitation or artificial on the label or cap thereof, in letters of the same size and type as those of the name of such nonalcoholic drink under which the same is distributed or sold, or had in possession with intent to distribute or sell.

3. The term "nonalcoholic drink" as used in this act shall include carbonated beverages of all flavors, sarsaparilla, ginger ale, soda water of all flavors, lemonade, orangeade, root beer, grape juice, and all other beverages of any kind or character, whether similar or not to the beverages specifically above mentioned, either containing no alcohol at all or containing not more than 1 per cent of alcohol.

4. No person shall distribute or sell, or have in possession with intent to distribute or sell, any nonalcoholic drink at any place where false or fraudulent statements or designs are displayed concerning such nonalcoholic drink.

5. Any person who shall violate any of the provisions of this act, or any of the rules and regulations made under authority contained in this act, shall be liable to a penalty of \$50 for the first offense, and to a penalty of \$100 for the second offense, and to a penalty of \$200 for the third and each subsequent offense; such penalties may be sued for and recovered by the same boards and officials, and in the same manner, as provided for the recovery of penalties in the act to which this act is a supplement, and such penalties, when recovered, shall be paid to the board or official recovering the same in the same manner as penalties recovered under the provisions of the act to which this act is a supplement.

6. This act shall take effect on the 1st day of June, 1915.

**Births and Deaths—Registration—Enforcement of Act. (Chap. 389, Act Apr. 23, 1915.)**

1. Section 14 of the act ["An act to secure in this State the certification of births and deaths, and of the vital facts relating thereto, and to provide for the record thereof (revision of 1909)"] to which this act is amendatory be and the same is hereby amended to read as follows:

14. Any penalty incurred under any of the provisions of this act shall be recovered, with costs, in an action of debt in the name of the local board of health of the municipality where the birth or death occurred. In case the local board of health fail to bring prosecution where violations of this act are brought to their attention, the State board of health shall have the power to compel the local board of health in the municipality where the birth or death occurred to prosecute such cases, and if after formal notice to the local board of health and to each of its members, from the State board of health, that such legal action shall be taken by the local board, the said local board fails to act, each and every member of the said local board of health shall be liable to a penalty



of \$25, to be recovered in an action of debt in the name of the board of health of the State of New Jersey, and all such penalties when so recovered shall be paid into the State treasury of this State: *Provided, however,* That the penalty shall not run against any member of the local board of health who shall vote to bring prosecution against the violator of this act, although the local board of health may vote against such prosecution.

**Marriages—Registration—Duplicate Certificate When License Was Issued in Another Place—Date of Receipt to be Stamped on Certificate. (Chap. 366, Act Apr. 21, 1915.)**

1. The assessor of any township or the clerk or person acting as registrar of vital statistics in any city, borough, town, or other local municipal government in this State, who receives the certificate of the marriage of two persons within the district under his jurisdiction shall, when the marriage license was issued in another township or other municipality in this State, make a duplicate of any such certificate of marriage received by him, and transmit the same, by mail, within 24 hours after receipt of the original to the officer legally designated to receive such certificates in the township or other municipality in which the license was issued.

2. The assessor of any township or clerk or person acting as registrar of vital statistics in any city, borough, town, or other local municipal government in this State, shall stamp every certificate of marriage that he receives with the date on which it is received and with the name of the township or other municipality in which it is filed.

3. Every duplicate required to be made in section 1 shall have written or stamped thereon, in red ink, the words "duplicate, original filed in (stating municipality) on (stating date)," and shall be filed in the office of the person to whom it is sent in the same manner as though the marriage had taken place in the municipality over which the said person has jurisdiction: *Provided,* That all certificates of marriage shall be tabulated only with the returns of the municipality in which the marriage took place.

4. Every assessor of any township or the clerk or person acting as registrar of vital statistics in any city, borough, town, or other local municipal government in this State who shall fail to forward any duplicate certificate as provided for in section 1, and stamp such certificate as outlined above, shall be liable to a penalty of \$50, to be recovered in an action of debt in the name of the State board of health or in the name of the local board of health that is affected by such violation.

**Communicable Diseases of Animals—Quarantine by State Board of Health. (Chap. 26, Act Mar. 2, 1915.)**

1. Section 5 of the act to which this is an amendment ["An act concerning contagious and infectious diseases among animals, and to repeal certain acts relating thereto," approved May 4, 1886] is hereby amended to read as follows:

5. That when any county, city, township, or district shall be threatened with any contagious or infectious disease among animals to such an extent as to seem to require more general precautions, the State board of health may, for such time as said board shall deem necessary and proper, quarantine such county, city, township, or district and prohibit the bringing of any animal subject to such contagious or infectious disease into such county, city, township, or district, or the removal of any such animal from out of or from one place to another within such county, city, township, or district without inspection and a written permit signed by such board or its duly constituted agent or representative; and said board shall cause public notice of such quarantine and prohibition to be posted in five or more conspicuous places within such county, city, township, or district and published in one or more newspapers circulating therein. Said board shall have authority to cooperate with the Bureau of Animal Industry of

the United States in any measures deemed necessary to eradicate or prevent the spread of any such contagious or infectious disease.

2. Section 6 of the act to which this is an amendment is hereby amended to read as follows:

6. That when any county, city, township, district, animal, or herd of animals is quarantined pursuant to the provisions of this act and public notice thereof is given as herein provided, it shall not be lawful for any owner, keeper, or other person to drive or transport, or to permit to be driven or transported, into, out of, or from one place to another within such county, city, township, district, or place of quarantine any animal of the kind named in such quarantine, or to visit any animal or herd of animals so quarantined without a written permit signed by such board of health or its duly constituted agent or representative. Any person or persons violating the provisions of this section shall be deemed and adjudged guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than \$200 or by imprisonment not exceeding one year, or both, at the discretion of the court.

**Commission on Tuberculosis Among Animals—Appointment and Duties—Valuation of Animals. (Chap. 36, Act Mar. 3, 1915.)**

1. Section 1 of the act hereby amended ["An act concerning contagious and infectious diseases among cattle; regulating the importation of cattle into this State and providing measures to check the spread of diseases among cattle in this State; creating the commission of tuberculosis among animals, prescribing its powers and duties, and fixing penalties for violation of this act," approved April 24, 1911] be and the same is amended to read as follows:

**SECTION 1. GENERAL PROVISIONS.**

1. The president of the State board of agriculture, for the time being, shall appoint five persons, citizens and taxpayers of this State, one of whom shall be a physician and surgeon, who, together with himself and the secretary of the State board of agriculture, for the time being, shall constitute the commission on tuberculosis among animals, hereinafter referred to as "the commission," who shall exercise the powers and perform the duties hereinafter referred to. Said appointees shall be appointed for a term of three years and until their successors are appointed. Any vacancy occurring in said commission shall be filled for the unexpired term and in the manner herein mentioned.

2. The commission may elect one of its members as president and one as secretary; may appoint a treasurer, who need not be a member of the commission; a chief inspector, who shall also act as assistant to the secretary; as many inspectors, not exceeding six, as in its judgment are necessary for the proper enforcement of this act; and such clerical assistance as may be necessary. Within the limits of appropriations the commission shall fix the compensation to be paid to these officers and employees. The members of the commission shall receive traveling expenses while engaged in the work of the commission.

3. It shall be the duty of said commission to keep a full and complete record of all its proceedings under this act, and report the same annually to the State board of agriculture, and such report shall be printed in and form a part of the annual report of the State board of agriculture.

4. All bills for money expended under this act shall, after being approved by the president of the commission and attested by its secretary, be submitted to the comptroller and paid by the State treasurer to the treasurer of the commission, excepting stated salaries, printing, and stationery.

2. Section 2 of the act hereby amended be and the same is amended to read as follows:

## SECTION 2. CATTLE WITHIN THE STATE.

5. Whenever the commission shall be notified by the secretary of the State board of health, or any owner or owners of dairy animals, requesting them to inspect such animals, supposed to be diseased with tuberculosis or any contagious or infectious disease, a veterinarian and an inspector may be designated by the commission to make such inspection, and the inspector may agree with the owner or owners upon a valuation of such animals as are to be inspected; in cases where no agreement can be reached the inspector designated by the commission shall choose one disinterested freeholder, the owner or owners shall choose one, and the two shall designate a third, who shall ascertain and decide upon the market value of each animal to be examined by the commission, according to the use for which such animal is adapted, and shall sign certificates thereof in the presence of a witness, who shall attest the same; such valuation shall, in each case, be made on the basis of the value of the animals the day the valuation is made, not diminished by the disease for which they are to be examined; and if upon examination by the veterinary any animals in said herd are found to be infected with tuberculosis or any contagious or infectious disease, they shall be, in the discretion of the commission, condemned and slaughtered; in such case three-fourths of such valuation so ascertained shall be paid by the State to the owner or owners on presentation of such certificate with the approval of the said commission indorsed thereon: *Provided*, That such appraisement shall not exceed \$300 for each pure-bred animal so condemned, the pedigree of which is registered and recorded with the recognized association for the particular breed to which such animal belongs, the evidence of which shall be the usual certificate, and \$50 for each other animal condemned: *And provided further*, That no compensation shall be made for animals considered by the commission to be of no value. If the meat of the slaughtered cattle shall be passed for use as food by the Federal authorities or a State board of health or municipal inspector, the commission is hereby authorized to sell the same, and the proceeds from the sale of the meat, hide, and other marketable parts of the said animal shall be paid into the State treasury.

6. Whenever the commission shall have made or caused to be made any examination of any cattle within this State, and shall have ascertained such cattle to be sound and in good health, they shall, upon request from the owner thereof, give to him a certificate in writing, signed by the president and secretary of said commission, certifying to the fact of such examination and of the good health and condition of such animal or herd of animals.

7. The said commission shall have the power to cooperate with the Bureau of Animal Industry of the United States in any general national system which may be adopted by such bureau for the prevention of the spread of bovine tuberculosis and any contagious or infectious disease, and its eradication in the United States and its Territories.

**Tuberculosis of Dairy Animals—Valuation of Animals. (Chap. 298, Act Apr. 14, 1915.)**

1. Section 5 of the act referred to in the title of this act [“An act concerning contagious and infectious diseases among cattle; regulating the importation of cattle into this State, and providing measures to check the spread of diseases among cattle in this State; creating the commission on tuberculosis among animals, prescribing its powers and duties, and fixing penalties for violation of this act,” approved April 24, 1911] is hereby amended to read as follows:

5. Whenever the commission shall be notified by the secretary of the State board of health, or any owner or owners of dairy animals, requesting them to inspect such animals supposed to be diseased with tuberculosis, or any contagious or infectious disease, a veterinarian and an inspector may be designated by the commission to make

such inspection, and the inspector may agree with the owner or owners upon a valuation of such animals as are to be inspected; in cases where no agreement can be reached the inspector designated by the commission shall choose one disinterested freeholder, the owner or owners shall choose one, and the two shall designate a third, who shall ascertain and decide upon the market value of each animal to be examined by the commission, according to the use for which such animal is adapted, and shall sign certificates thereof in the presence of a witness, who shall attest the same; such valuation shall, in each case, be made on the basis of the value of the animals the day the valuation is made, not diminished by the disease for which they are to be examined; and if upon examination by the veterinary any animals in said herd are found to be infected with tuberculosis or any contagious or infectious disease, they shall be, in the discretion of the commission, condemned and slaughtered; in such case three-fourths of such valuation so ascertained shall be paid by the State to the owner or owners on presentation of such certificate with the approval of the said commission indorsed thereon: *Provided*, That such appraisement shall not exceed \$300 for each pure-bred animal so condemned, the pedigree of which is registered and recorded with the recognized association for the particular breed to which such animal belongs, the evidence of which shall be the usual certificate, and \$50 for each other animal condemned: *And provided further*, That no compensation shall be made for animals considered by the commission to be of no value: *Provided, however*, That the compensation for any tubercular animal shall in no case exceed \$50. If the meat of the slaughtered cattle shall be passed for use as food by the Federal authorities or a State board of health or municipal inspector, the commission is hereby authorized to sell the same, and the proceeds from the sale of the meat, hide, and other marketable parts of the said animal shall be paid into the State treasury.

2. All acts and parts of acts inconsistent herewith are hereby repealed.

**Domestic Animals—Scientific Investigations Authorized Under Authority of State Board of Health. (Chap. 160, Act Apr. 6, 1915.)**

1. Section 17 of the act entitled "An act for the prevention of cruelty to animals," approved March 11, 1880, being Chapter CLVII of the laws of 1880, be and the same hereby is amended so as to read as follows:

17. Nothing in this act contained shall be construed to prohibit or interfere with any properly conducted scientific experiments or investigations, which experiments or investigations shall be performed only under the authority of the board of health of the State of New Jersey, the said board of health being hereby granted power to authorize the conduct of such experiments or investigations by agricultural stations and schools maintained by the State or Federal Government, medical societies, universities, colleges and philanthropic institutions having among their corporate purposes investigation into the causes, nature, and mode of prevention and cure of diseases in men or animals, incorporated or authorized to do business in this State; and to revoke for cause the authority so granted; nor shall the same be construed to prohibit or interfere with the killing or disposing of any animal or creature by virtue of the order of any of the constituted authorities of this State.

2. All acts or parts of acts inconsistent with this act be and they hereby are repealed.

**Children's Boarding Houses—Licensing and Regulation by Local Authorities. (Chap. 209, Act Apr. 8, 1915.)**

1. In all incorporated municipalities of the State having a board of health or other body possessing similar powers or functions, it shall be lawful for such board of health or other body to pass and enforce such ordinance or ordinances as to said board or other body may seem meet, for the purpose of licensing and regulating the manner of keeping boarding houses for infants and children within such municipalities, and

fixing a license fee for the same, and preventing unlicensed persons or corporations from keeping such boarding houses for infants and children: *Provided, however,* That this act shall not apply to the State board of children's guardians or to any children's home or orphan asylum or children's aid society incorporated under the laws of this State, or to any aid societies of properly organized and accredited churches and fraternal societies organized for aid and relief to their members, or to any charitable society incorporated under the laws of New Jersey having as one of their objects the prevention of cruelty to children or the care and protection of children.

2. All such boards of health or similar bodies are hereby empowered, for the purpose of enforcing such ordinances, to provide a penalty for the violation of the provision thereof, not exceeding \$50, to be enforced in any court in any such municipality having the jurisdiction and power to enforce municipal ordinances and penalties incurred by any person for violation thereof.

**Weeds and Brush Growing on Highway—Borough Council May Direct Removal of, by Owner or Occupant of Land Abutting on Such Portion of Highway. (Chap. 379, Act Apr. 21, 1915.)**

1. The borough council of any borough incorporated under the authority of the act to which this act is a further supplement, made by ordinance or resolution direct any owner or occupant of land abutting on any highway in any borough in this State to cut and remove all brush, briars, and weeds growing in or upon such portion of such highway as his or her lands abut upon, and in case such owner or occupant shall fail to perform the duty imposed hereby within such time as it may by notice served upon such owner or occupant deem necessary and sufficient, the borough council in which such lands abut as aforesaid may cause such work to be done, and the cost thereof shall be included in the general tax levy of the said borough, but shall be assessed upon and collected from only so much of the property of the said borough as is or may be included within the highway abutting the said improvement.

## NEW YORK.

### Communicable Diseases—Notification of Cases in Hospitals, Dispensaries, and Other Institutions. (Reg. Public Health Council Mar. 4, 1915.)

The public health council has amended regulation 3<sup>1</sup> of chapter 2 of the Sanitary Code relating to "Communicable diseases" to read as follows:

REG. 3. *Reporting cases of communicable disease in institutions.*—It shall be the duty of the superintendent or person in charge of every hospital, other institution, or dispensary to report to the local health officer within whose jurisdiction any such hospital, other institution, or dispensary is located the full name, age, and address of every person under his charge affected with a communicable disease, together with the name of the disease and the name and address of the person or organization in whose care the case was immediately prior to admission or by whom the case was referred, within 24 hours from the time when the case first develops or is first admitted to such hospital, other institution, or dispensary. Such report shall be by telephone or telegram when practicable, and shall also be made in writing.

This regulation shall take effect throughout the State of New York, except in the city of New York, on the 1st day of May, 1915.

### Communicable Diseases—Notification of Cases on Dairy Farms—Quarantine. (Chap. 2, Reg. Public Health Council, Oct. 5, 1915.)

The public health council has amended regulations 8<sup>1</sup> and 36<sup>2</sup> of chapter 2 of the sanitary code, relating to "communicable diseases," to read as follows:

REG. 8. *Reporting cases of communicable disease on dairy farms by physicians.*—When a case of Asiatic cholera, diphtheria, amebic or bacillary dysentery, epidemic cerebrospinal meningitis, epidemic or septic sore throat, paratyphoid fever, scarlet fever, smallpox, or typhoid fever exists on any farm or dairy producing milk, cream, butter, or other dairy products for sale, it shall be the duty of the physician in attendance to report immediately to the local health officer the existence on such farm or dairy of such case.

It shall be the duty of the health officer to report immediately to the State commissioner of health by telephone or telegram the existence on such farm or dairy of such case, together with all facts as to the isolation of such case, and giving the names of the localities to which such dairy products are delivered.

This regulation shall take effect throughout the State of New York, except in the city of New York, on the 1st day of January, 1916.

REG. 36. *Minimum period of isolation.*—The minimum period of isolation, within the meaning of this code, shall be as follows:

Chicken-pox, until 12 days after the appearance of the eruption and until the crusts have fallen and the scars are completely healed.

Diphtheria (membranous croup), until two successive negative cultures have been obtained from the nose and throat at intervals of 24 hours.

Measles, until seven days after the appearance of the rash and until all discharges from the nose, ears and throat have disappeared and until the cough has ceased.

<sup>1</sup> Reprint No. 279 from the Public Health Reports, p. 112.

<sup>2</sup> Ibid., p. 117.

Mumps, until two weeks after the appearance of the disease and one week after the disappearance of the swelling.

Scarlet fever, until 30 days after the development of the disease and until all discharges from the nose, ears and throat, or suppurating glands, have ceased.

Smallpox, until 14 days after the development of the disease and until scabs have all separated and the scars completely healed.

Whooping cough, until eight weeks after the development of the disease or until one week after the last characteristic cough.

This regulation shall take effect throughout the State of New York, except in the city of New York, on the 1st day of January, 1916.

**Vaccination of School Children Required—Reports Relating Thereto to be Made by Physicians. (Chap. 133, Act Mar. 30, 1915.)**

SECTION 1. Sections 310 and 311 of chapter 49 of the laws of 1909, entitled, "An act in relation to the public health, constituting chapter 45 of the consolidated laws," are hereby amended to read, respectively, as follows:

SEC. 310. *Vaccination of school children.*—1. A child or person not vaccinated shall not be admitted or received into a school in a city of the first or second class. The board, officers, or other person having the charge, management, or control of such school shall cause this provision of law to be enforced. The board of health or other board, commission, or officers of such city having jurisdiction of the enforcement of the chapter therein shall provide, at the expense of the city, for the vaccination of all pupils of such school whose parents or guardian do not provide vaccination for them.

2. Whenever smallpox exists in any other city or school district, or in the vicinity thereof, and the State commissioner of health shall certify in writing to the school authorities in charge of any school or schools in such city or district, it shall become the duty of such school authorities to exclude from such schools every child or person who does not furnish a certificate from a duly licensed physician to the effect that he has successfully vaccinated such child or person with vaccine virus in the usual manner or that such child or person shows evidence by scar of a successful previous vaccination. Whenever school authorities having the charge, management, and control of schools in a district or city cause this provision of law to be enforced, the local board of health shall provide for the vaccination of all children whose parents or guardian do not provide such vaccination.

3. The expense incurred, when such vaccination is performed under the direction of the local health authorities, shall be a charge upon the municipality in which the child or person vaccinated resided, and shall be audited and paid in the same manner as other expenses incurred by such municipality are audited and paid. The local boards of health or other health authorities may, in their discretion, provide for the payment of additional compensation to health officers performing such vaccination.

SEC. 311. *Vaccination, how made; reports.*—1. No person shall perform vaccination for the prevention of smallpox who is not a regularly licensed physician under the laws of the State. Vaccination shall be performed in such manner only as shall be prescribed by the State commissioner of health.

2. No physician shall use vaccine virus for the prevention of smallpox unless such vaccine virus is produced under license issued by the Secretary of the Treasury of the United States and is accompanied by a certificate of approval by the State commissioner of health, and such vaccine virus shall then be used only within the period of time specified in such approval.

3. Every physician performing a vaccination shall within 10 days make a report to the State commissioner of health upon a form furnished by such commissioner setting forth the full name and age of the person vaccinated and, if such person is a minor, the name and address of his parents, the date of vaccination, the date of previous vaccination if possible, the name of the maker of the vaccine virus and the lot or batch number of such vaccine virus.

**Tuberculosis—Duties of Health Officer when Notified of a New Case.** (Chap. 2, Reg. Public Health Council, Dec. 7, 1915.)

The public health council has amended chapter 2 of the sanitary code by adding a new regulation, to be numbered 42a, after regulation 42 in said chapter, as follows:

REG. 42a. *Duties of health officer on receiving report of apparent case of tuberculosis.*—Upon receiving a report in writing of an apparent case of tuberculosis, as authorized by section 320 of the public health law, the health officer shall thereupon take the following steps:

1. If the alleged case has been previously reported to him by a physician as having tuberculosis and the latter has elected to assume the sanitary supervision thereof as permitted in section 328 of the public health law, the health officer shall ascertain promptly whether such physician is maintaining proper sanitary supervision.

2. If the alleged case has not been previously reported to him as having tuberculosis, the health officer shall take proper measures to determine whether there is reason to believe such person is affected with pulmonary tuberculosis, and, if by suitable physical or sputum examination, or both, he ascertains that the person is affected with pulmonary tuberculosis, he shall then proceed in accordance with the provisions of the public health law and the rules of the State department of health.

This regulation shall take effect throughout the State of New York, except in the city of New York, on the 1st day of March, 1916.

**County Tuberculosis Hospitals—Establishment, Maintenance, and Supervision—Admissions.** (Chap. 132, Act Mar. 29, 1915.)

SECTION 1. Section 45 of chapter 16 of the laws of 1909, entitled "An act in relation to counties, constituting chapter 11 of the consolidated laws," as added by chapter 341 of the laws of 1909, and amended by chapters 166<sup>1</sup> and 379<sup>2</sup> of the laws of 1913 and 323<sup>3</sup> of the laws of 1914, is hereby amended to read as follows:

SEC. 45. *Establishment of county hospital for tuberculosis.*—The board of supervisors of any county shall have power by a majority vote to establish a county hospital for the care and treatment of persons suffering from the disease known as tuberculosis; or it may submit the question of establishing such a hospital to the voters of the county at any general election; and in any county in which town meetings at which all the voters of the county may vote are held in the spring of the year, the board of supervisors of such a county shall have authority also to submit the question of establishing such a hospital at said town meetings to the electors of the county who are qualified to vote at a general election. The board of supervisors shall fix the sum of money deemed necessary for the establishment of said hospital. The form of the proposition submitted shall read as follows: "Shall the county of..... appropriate the sum of ..... dollars for the establishment of a tuberculosis hospital?" The election notices shall state that the proposition will be voted upon and in the form set forth above. Provision for taking such vote and for the canvassing and returning of the result shall be made by the duly constituted election authorities.

If a majority of the voters voting on such proposition shall vote in favor thereof then such hospital shall be established hereunder and the sum of money named in the said proposition shall be deemed appropriated, and it shall be the duty of the board of supervisors to proceed forthwith to exercise the powers and authority conferred upon it in this section.

When the board of supervisors of any county shall have voted to establish such hospital, or when a referendum on the proposition of establishing such a hospital in a county, as authorized above, shall have been carried, the board of supervisors shall—

1. Purchase or lease real property therefor, or acquire such real property, and easements therein, by condemnation proceedings, in the manner prescribed by the

<sup>1</sup> Reprint No. 264 from the Public Health Reports, p. 309.

<sup>2</sup> *Ibid.*, p. 310.

<sup>3</sup> Reprint No. 279 from the Public Health Reports, p. 109.



condemnation law, in any town, city, or village in the county. After the presentation of the petition in such proceeding prescribed in section 3360 of the code of civil procedure and the filing of the notice of pendency of action prescribed in section 3381 thereof, said board of supervisors shall be and become seized of the whole or such part of the real property described in said petition to be so acquired for carrying into effect the provisions of this act, as such board may, by resolution adopted at a regular or special session, determine to be necessary for the immediate use, and such board for and in the name of such county may enter upon, occupy, and use such real property so described and required for such purposes. Such resolution shall contain a description of the real property of which possession is to be taken and the day upon which possession will be taken. Said board of supervisors shall cause a copy of such resolution to be filed in the county clerk's office of the county in which such property is situate, and notice of the adoption thereof, with a copy of the resolution and of its intention to take possession of the premises therein described on a day certain, also therein named, to be served, either personally or by mail, upon the owner or owners of, and persons interested in, such real property, at least five days prior to the day fixed in such resolution for taking possession. From the time of the service of such notice, the entry upon and appropriation by the county of the real property therein described for the purposes provided for by this act, shall be deemed complete, and such notice so served shall be conclusive evidence of such entry and appropriation and of the quantity and boundaries of the lands appropriated. The board of supervisors may cause a duplicate copy of such papers so served, with an affidavit of due service thereof on such owner or person interested, to be recorded in the books used for recording deeds in the office of the county clerk of its county, and the record of such notice and such proof of service shall be prima facie evidence of the due service thereof. Compensation for property thus acquired shall be made in such condemnation proceeding.

2. Erect all necessary buildings and alter any buildings on the property when acquired for the use of said hospital: *Provided*, That the plans for such erection or alteration shall first be approved by the State commissioner of health.

3. Cause to be assessed, levied, and collected such sums of money as it shall deem necessary for suitable lands, buildings, and improvements for said hospital, and for the maintenance thereof, and for all other necessary expenditures therefor; and to borrow money for the erection of such hospital and for the purchase of a site therefor on the credit of the county, and issue county obligations therefor, in such manner as it may do for other county purposes.

4. Appoint a board of managers for said hospital as hereinafter provided.

5. Accept and hold in trust for the county, any grant or devise of land, or any gift or bequest of money or other personal property, or any donation to be applied, principal or income, or both, for the benefit of said hospital, and apply the same in accordance with the terms of the gift.

SEC. 2. Subdivision 1 of section 47 of such chapter is hereby amended to read as follows:

1. Shall elect from among its members, a president and one or more vice presidents. It shall appoint a superintendent of the hospital who shall be also the treasurer and secretary of the board, and it may remove him for cause stated in writing and after an opportunity to be heard thereon after due notice; and may suspend him from duty pending the disposition of such charges. Said superintendent shall not be a member of the board of managers, and shall be a graduate of an incorporated medical college, with an experience of at least three years in the actual practice of his profession.

SEC. 3. Subdivision 5 of section 48 of such chapter, as amended by chapters 149 and 239<sup>1</sup> of the laws of 1912 and chapter 379<sup>2</sup> of the laws of 1913, is hereby amended to read as follows:

<sup>1</sup> Reprint No. 203 from the Public Health Reports, p. 155.

<sup>2</sup> Reprint No. 264 from the Public Health Reports, p. 310.

5. Shall receive into the hospital in the order of application any person found to be suffering from tuberculosis in any form who is entitled to admission thereto under the provisions of this chapter, excepting that if at any time there be more applications for admission to said hospital than there are vacant beds therein, said superintendent shall give preference in the admission of patients to those who in his judgment, after an inquiry as to the facts and circumstances, are more likely to infect members of their households and others, in each instance signing and placing among the permanent records of the hospital a statement of the facts and circumstances upon which he bases his judgment as to the likelihood of transmitting infection, and reporting each instance at the next meeting of the board of managers; and shall also receive persons from other counties as hereinafter provided. Said superintendent shall cause to be kept proper accounts and records of the admission of all patients, their name, age, sex, color, marital condition, residence, occupation, and place of last employment.

**County Tuberculosis Hospitals—Change of Location.** (Chap. 427, Act Apr. 28, 1915.)

SECTION 1. Section 45 of chapter 16 of the laws of 1909, entitled "An act in relation to counties, constituting chapter 11 of the consolidated laws," as added by chapter 341 of the laws of 1909, and amended by chapters 166<sup>1</sup> and 379<sup>2</sup> of the laws of 1913, and 323<sup>3</sup> of the laws of 1914, and 132 of the laws of 1915, is hereby amended by adding a new subdivision, to be subdivision 6 thereof, to read as follows:

6. Whenever it shall deem it in the public interest so to do, and notwithstanding the provisions of any other general or special act, change the location of such hospital and acquire a new site by purchase, lease, or condemnation, as provided in this section, and establish the hospital thereon.

**Tuberculosis Registers—Inspection Permitted in Certain Cases.** (Chap. 7, Reg. Public Health Council, Amdt. Feb. 2, 1915.)

REG. 8. *Local health officers authorized to permit inspection of tuberculosis registers in certain cases.*—Local health officers are hereby authorized to permit the inspection of the reports of cases of tuberculosis and of the registers mentioned in section 322 of the public health law by any duly authorized representative of an organization engaged in work for the prevention of tuberculosis, who has been approved for this purpose by the State commissioner of health.

Local health officers shall keep a record of all persons having access to such reports or registers, stating their names, addresses, and official positions or relations to the State department of health or said organizations.

Such persons shall not publish or divulge for publication or communicate to any other person the identity of the persons to whom such reports or registers relate.

This regulation shall take effect throughout the State of New York, except in the city of New York, on the 1st day of March, 1915.

**Local Health Organizations—Consolidation of Municipalities into Health Districts Authorized.** (Chap. 555, Act May 8, 1915.)

SECTION 1. Section 20 of chapter 49 of the laws of 1909, entitled "An act in relation to the public health, constituting chapter forty-five of the consolidated laws," as amended by chapter 165 of the laws of 1909, chapter 559<sup>4</sup> of the laws of 1913, and chapter 124<sup>5</sup> of the laws of 1915 is hereby further amended to read as follows:

SEC. 20. *Local boards of health.*—There shall continue to be local boards of health and health officers in the several cities, villages, and towns of the State except as here-

<sup>1</sup> Reprint No. 264 from the Public Health Reports, p. 309.

<sup>2</sup> *Ibid.*, p. 310.

<sup>3</sup> Reprint No. 279 from the Public Health Reports, p. 109.

<sup>4</sup> Reprint No. 264 from the Public Health Reports, p. 317.

<sup>5</sup> See p. 385 of this volume.

inafter provided. In the cities, except cities of the first and second class, the board shall consist of the mayor of the city, who shall be its president, and at least six other persons, one of whom shall be a competent physician, who shall be appointed by the common council, upon the nomination of the mayor, and shall hold office for three years. Appointments of members of such boards shall be made for such shorter terms as at any time may be necessary, in order that the terms of two appointed members shall expire annually. In the cities, except cities of the first and second class, and such other cities whose charters otherwise provide, the board shall appoint, for a term of four years, a competent physician, not one of its members, to be the health officer of the city, and shall fill any vacancy that now exists or may hereafter exist from expiration of term or otherwise in the office of health officer of the city. In villages the board shall consist of the board of trustees of such village. In towns the board of health shall consist of the town board. The local board of health shall appoint a competent physician, not a member of the local board of health, to be the health officer of the municipality. The term of office of the health officer shall be four years, and he shall hold office until the appointment of his successor. He may be removed for just cause by the local board of health or the State commissioner of health after a hearing; such removal by the local board of health must be approved by the State commissioner of health. The health officer need not reside within the village or town for which he shall be chosen. Notice of the membership and organization of every local board of health shall be forthwith given by such board to the State department of health. The term "municipality," when used in this article, means the city, village, or town or consolidated health district for which any such local board may be or is appointed. The provisions herein contained as to boards of health, and for the appointment of health officers, shall apply to all towns and villages, whether such villages are organized under general or special laws. The members of town boards and of village boards of trustees and of boards of health of consolidated health districts shall not receive additional compensation by reason of serving as members of boards of health. Any matter within the jurisdiction of a town or village board of health may be considered and acted upon at any meeting of such town board or village board of trustees.

The State commissioner of health, on the request of the town board of any town and the board of trustees of any village and the common council or other like authority of any city, may combine into one health district, hereinafter referred to as a consolidated health district, any two or more of such towns, villages, or cities within one county and may on the request of the town board of any town, board of trustees of any village, or common council or other like authority of any city at any time thereafter set apart such town, village, or city as a separate health district. In any consolidated health district there shall be a board of health which shall consist of the supervisor of each town, the president of the board of trustees of each village, and the mayor of each city included in each district, provided that if the number of members so provided for is an even number, such members shall within 30 days after such district shall have been established by the State commissioner of health choose an additional member of such board of health to be known as the elective member. An elective member shall serve for a term of two years from the 1st day of January preceding his election and until his successor shall have been appointed, provided that if at any time the number of members of the board of health, excluding the elective member, shall by reason of the addition of an additional municipality or municipalities become an odd number, the term of office of the elective member shall thereupon cease.

The board of health of a consolidated health district shall from time to time elect a president from among its members. The health officer of a consolidated health district shall serve as the secretary of the board of health thereof without additional remuneration therefor.

In each such consolidated health district the board of health shall appoint a health officer. Each board of health and each health officer of a consolidated health district

shall have all the rights, powers, duties, and obligations conferred and imposed by law upon boards of health and health officers, respectively.

When any consolidated health district is established, as herein provided, the boards of health of the towns, villages, or cities included within such district shall thereupon cease to exist as boards of health, and all their rights, powers, duties, and obligations shall thereupon be transferred to the board of health of such district. When the board of health of any such consolidated health district shall have appointed a health officer therefor the terms of office of the health officers of the towns, villages, or cities included in such district shall cease, and all their rights, powers, duties, and obligations shall thereupon be transferred to and imposed upon the health officer appointed for such consolidated health district.

The board of health of any such consolidated health district shall from time to time audit all accounts and allow or reject all charges, claims, and demands against such health district for the remuneration and expenses of the health officer, registrar, or registrars, and for all other expenses lawfully incurred by said board of health or on its authority. Such board shall annually make an abstract of the names of all persons who have presented to them accounts to be audited, the amounts claimed by each such person, and the amounts finally audited and approved by them, respectively, and shall deliver such abstract to the clerk of the board of supervisors. The board of supervisors shall levy a tax upon the real and personal property within such health district sufficient to provide for the sums audited and approved by the board of health thereof. Such sums when collected and paid to the county treasurer shall be paid by him to the president of such board of health and shall be disbursed by him in accordance with the abstract of claims audited and approved by such board of health, as hereinabove provided.

#### **Boards of Health in Villages. (Chap. 323, Act Apr. 17, 1915.)**

SECTION 1. Section 43 of chapter 64 of the laws of 1909, entitled "An act relating to villages, constituting chapter 64 of the consolidated laws," is hereby amended to read as follows:

SEC. 43. *List of village officers; mode of choosing; official year; terms of office.*—Every village shall have a president, not less than two trustees, a treasurer, a clerk, and a street commissioner. \* \* \*

There shall be a board of health in each village, consisting of the board of trustees of such village. The president, trustees, treasurer, collector, police justice, and assessors shall be elective officers, \* \* \*.

#### **Health Officers—Qualifications Required for Appointment. (Reg. Public Health Council, July 6, 1915.)**

*Resolved*, That it is the sense of the council that the following qualifications should be required of health officers hereafter appointed:

- I. They shall be physicians of several years' standing.
- II. They shall when appointed be not less than 24 nor more than 65 years of age.
- III. They shall have complied with one of the following requirements:
  1. A course of at least six weeks, including practical laboratory and field work with lectures and reading, at an educational institution. Such courses to be approved by the public health council. Examination and certificate.
  2. Correspondence course of one year followed by at least one week of practical demonstrations in laboratory and field work. Both correspondence course and demonstrations to be given under conditions approved by the council with examination and certificate for each.
  3. Evidence satisfactory to the public health council of special training and practical experience in public health work. Such evidence to be afforded if required by successful examination.

*Provided*, That under special conditions specified in writing by the local board of health or other appointing power these qualifications may be waived by the public health council.

[These requirements become effective Nov. 1, 1916.]

**Health Officers—Appointment of, Previous to November 1, 1916. (Res. Public Health Council, July 6, 1915.)**

*Resolved*, In view of the qualifications to be required of local health officers to be appointed after November 1, 1916, the public health council recommends to local health boards and other appointing officers called upon to make such appointments previous to November 1, 1916, when these requirements become effective, that they specify that the health officer to be appointed shall agree to conform to the requirements within the first year of the new term.

**Health Officers, Local—Residence of. (Chap. 124, Act Mar. 24, 1915.)**

Section 20 of chapter 49 of the laws of 1909, as amended by chapter 559 of the laws of 1913, has been amended by striking out the words "but unless he shall, he must reside in an adjoining town."

The section which was amended appeared in the Public Health Reports, October 3, 1913, at page 2084, and the clause which has been stricken out appears on the third and fourth lines from the bottom of that page.

**Milk—License for Buying and Shipping to Cities. (Chap. 651, Act May 18, 1915.)**

SECTION 1. Section 55 of chapter 9 of the laws of 1909, entitled "An act in relation to agriculture, constituting chapter 1 of the consolidated laws," as added by chapter 408 of the laws of 1913, is hereby amended to read as follows:

SEC. 55. *Licensing of milk-gathering stations where milk is bought.*—On and after September 1, 1913, no person, firm, association, or corporation shall buy milk or cream within the State from producers for the purpose of shipping the same to any city for consumption or for manufacture unless such business be regularly transacted at an office or station within the State and unless such person, firm, association, or corporation be duly licensed as provided in this and the ensuing sections of this article. Every such person, firm, association, or corporation before engaging or continuing in the business of buying milk or cream for the purposes aforesaid shall annually, on or before August 1, file an application with the commissioner of agriculture for a license to transact such business. The application shall state the nature of the business, as hereinabove set forth, the full name of the person or corporation applying for the license, and, if the applicant be a firm or association, the full name of each member of such firm or association, the city, town, or village and street number at which the business is to be conducted, and such other facts as the commissioner of agriculture shall prescribe. The applicant shall further satisfy the commissioner of his or its character, financial responsibility, and good faith in seeking to carry on such business.

The commissioner shall thereupon issue to such applicant, on payment of \$10, a license entitling the applicant to conduct the business of buying milk and cream from producers for the purpose aforesaid at an office or station at the place named in the application until the 1st day of September next following: *Provided, however*, That if the application be presented in the month of July, and if the applicant so elects, such license may be granted to begin on the 1st day of September next following and run for a term of one year. A license shall not be issued, however, to any applicant if during the year preceding the filing of the application a complaint from any pro-

ducer and seller of milk or cream shall have been filed with the commissioner against such applicant for any of the grounds specified in section 57 hereof, and such complaint shall have been established as true and just to the satisfaction of the commissioner after such complaint shall have been investigated by the commissioner in the manner provided by section 56 hereof. A license shall not be issued as provided in this section, on and after the taking effect of this section, unless the applicant for such license shall file with the application a good and sufficient surety bond, executed by a surety company duly authorized to transact business in this State, in a sum not less than \$5,000, or shall be relieved from such requirement as provided herein. Such bond shall be approved as to its form and sufficiency by the commissioner of agriculture.

Such applicant may in lieu of such bond deposit with the commissioner of agriculture money or securities in which the trustees of a savings bank may invest the moneys deposited therein, as provided in the banking law, in an amount equal to the sum secured by the bond required to be filed as herein provided.

The bond required to be filed hereunder shall be given to the commissioner of agriculture in his official capacity and shall be conditioned for the faithful compliance by the licensee with the provisions of this chapter, as hereby amended, and for the payment of all amounts due to persons who have sold milk or cream to such licensee during the period that the license is in force. The money or securities deposited with the commissioner of agriculture, as above provided, shall constitute a separate fund, and shall be held in trust for and applied exclusively to the payment of claims against the licensee making such deposit, arising from the sale of milk or cream to such licensee.

Upon default by the licensee in the payment of any money due for the purchase of milk or cream, which payment is secured by a bond or the deposit of money or securities as hereinbefore provided for, the creditor may file with the commissioner of agriculture, upon a form prescribed by him, a verified statement of his claim. If such creditor shall have reduced such claim to judgment or shall thereafter and before the commencement of the action by the commissioner of agriculture, as hereinafter provided for, reduce such claim to judgment, a transcript of such judgment shall also be filed with such commissioner.

Such statements may be filed [sic] at any time during the period of the license for purchases made during such period and within 90 days from the termination of such period.

After the expiration of 90 days from the termination of any license period the commissioner of agriculture shall, by proper action wherein all such creditors and any surety upon any bond given as hereinbefore provided for and the licensee shall be parties, proceed to determine the amount due each such creditor, and the judgment rendered in such action shall be enforced ratably for such creditors against the surety on the bond, if one there be, or against the moneys or securities deposited as hereinbefore provided for. If any such creditor shall have reduced his claim to judgment such judgment shall be presumptive proof of the amount due such creditor in any action brought by the commissioner of agriculture, as hereinbefore provided for.

Every bond given pursuant to the provisions hereof shall be applicable, in the first instance, to the payment of all claims arising during the license period for which such bond shall continue, and filed either during such period or within 90 days after the expiration thereof. If all such claims shall be paid the balance available upon such bond shall be devoted to the extinguishment ratably of claims arising during such license period, but for which statements shall not have been filed until after 90 days after the expiration of such period.

All moneys and securities, deposited as herein provided for, shall be applicable, in the first instance, to the extinguishment of claims, properly filed, arising during

the license period for which such moneys or securities were originally deposited and if, after the extinguishment of such claims, there shall be a surplus remaining such surplus shall be devoted to extinguishment of claims arising during any preceding license period which were properly filed as hereinbefore provided, all claims for any one license period to be of a parity. Any surplus remaining after the extinguishment of such prior claims shall be added to the moneys or securities then on deposit with the commissioner of agriculture or, if there be at that time on file with such commissioner a bond given pursuant to this section, or if there be then on deposit with such commissioner additional moneys or securities deposited as herein provided for, and if such bond or such moneys or securities, as the case may be, shall, in the opinion of the commissioner of agriculture, be sufficient, such surplus shall be returned to the licensee.

A person or corporation licensed hereunder shall make a verified statement of his or its disbursements during a period to be prescribed by the commissioner of agriculture, containing the names of the persons from whom such products were purchased and the amount due to the vendors thereof. Such statement shall be submitted to the commissioner of agriculture when requested by him and shall be in the form prescribed by such commissioner. If it appears from such statement or other facts ascertained by the commissioner of agriculture, upon inspection or investigation of the books and papers of such licensee as authorized by section 56 of this chapter, that the security afforded to persons selling milk and cream to such licensee by the bond executed or deposit made by such licensee as herein provided does not adequately protect such vendors, the commissioner of agriculture may require such licensee to give an additional bond or to deposit additional money or securities, to be executed or deposited as above provided, in a sum to be determined by the commissioner, but not exceeding by more than 25 per cent the maximum amount paid out by such licensee to sellers of milk in any one month: *Provided, however,* That the maximum amount of the bond or deposit required from any applicant under the provisions of this section shall be \$100,000; and that any applicant filing a bond or depositing money or securities in such maximum amount shall be exempted from filing either the statements of milk purchased or the statements of disbursements in this section provided for.

If the applicant for a license under this section be a person or a domestic corporation, the commissioner of agriculture may, notwithstanding the provisions of this section, if satisfied from an investigation of the financial condition of such person or domestic corporation that such person or corporation is solvent and possessed of sufficient assets to reasonably assure compensation to probable creditors, by an order filed in the department of agriculture, relieve such person or corporation from the provisions of this section requiring the filing of a bond.

The term "station" or "milk-gathering station," as used in this and the ensuing sections of this article, shall include an established office where the business of buying milk or cream as herein provided is carried on, with or without a place or premises in connection therewith for the physical handling of milk or cream.

SEC. 2. Sections 58 and 59 of such chapter, as added by chapter 408 of the laws of 1913, are hereby amended to read as follows:

SEC. 58. *Certiorari to review.*—The action of the commissioner of agriculture in refusing to grant a license, or in revoking a license granted under section 55, shall be subject to review by writ of certiorari, and if such proceedings are begun to review the revocation of license, the license shall be deemed to be in full force and effect until the final determination of certiorari proceedings and all appeals therefrom.

SEC. 59. *Records to be kept.*—Every proprietor of a milk-gathering station shall keep, in such form as the commissioner of agriculture may prescribe, a record of transactions of purchases of milk or cream by him and he shall, at least semimonthly, deliver to each person from whom he receives or purchases milk or cream, and in the unit of measure used

in computing the amount due therefor, an itemized statement of the several amounts or quantities of such milk or cream so received or purchased at such milk station from such person during the prior half month or, if statements are delivered more frequently than semimonthly, during that period of time which has elapsed since the delivery of such last prior statement. If the milk or cream is purchased or received on a butter-fat basis, such statement shall include the percentage or average percentage of butter fat contained in said milk or cream as determined by tests periodical or otherwise. Every such proprietor of a milk gathering station shall post in a conspicuous place in such milk station a schedule of the prices being paid for milk or cream including the premiums paid or deductions made, if any, for milk or cream containing milk fat either in excess or in lesser amount than the agreed standard, and shall keep a correct account of all the milk or cream daily received or purchased from each person at such milk station, which account shall be open to inspection by said person.

**Milk and Cream—Pasteurization of—Requirements Governing Grade "B" Pasteurized.** (Chap. 3, Reg. Public Health Council, Oct. 5, 1915.)

The public health council has amended regulation 12<sup>1</sup> and the subdivision entitled "Grade B pasteurized" of regulation 13<sup>2</sup> of chapter 3 of the sanitary code, relating to "milk and cream," to read as follows:

REG. 12. *Pasteurization.*—Except where a different standard of pasteurization has been adopted previous to the 1st day of September, 1914, by the local health authorities, no milk or cream shall be sold or offered for sale as pasteurized unless it has been subjected to a temperature of 142° to 145° F. for not less than 30 minutes, and no milk or cream which has been heated by any method shall be sold or offered for sale unless the heating conforms to the provisions of this regulation.

After pasteurization the milk or cream shall be immediately cooled and placed in clean containers and the containers shall be immediately sealed.

No milk or cream shall be pasteurized more than once.

This regulation shall take effect throughout the State of New York, except in the city of New York, on the 1st day of January, 1916.

REG. 13. *Designations of milk and cream restricted; grade B pasteurized.*—No milk or cream shall be sold or offered for sale as "grade B pasteurized" unless it conforms to the following requirements:

The dealer selling or delivering such milk or cream must hold a permit from the local health officer.

All cows producing such milk or cream must be healthy, as disclosed by an annual physical examination.

Such milk or cream before pasteurization must not contain more than 1,500,000 bacteria per cubic centimeter.

Such milk must not any time after pasteurization and previous to delivery to the consumer contain more than 100,000 bacteria per cubic centimeter, and such cream not more than 500,000 bacteria per cubic centimeter.

Such milk and cream must be produced on farms which are duly scored on the score card prescribed by the State commissioner of health, not less than 20 per cent for equipment and not less than 35 per cent for methods.

Such milk must be delivered within 36 hours, and such cream within 48 hours after pasteurization, unless a shorter time is prescribed by the local health authorities.

The caps or tags on the containers must be white and contain the term "grade B pasteurized," in large, bright green type, and the name of the dealer.

The provisions of this subdivision shall take effect throughout the State of New York, except in the city of New York, on the 1st day of January, 1916.

<sup>1</sup> Reprint No. 279 from the Public Health Reports, p. 122.

<sup>2</sup> Ibid., p. 124.



**Milk and Cream—Grade B Pasteurized—Production, Care, and Sale. (Reg. Public Health Council, Mar. 4, 1915.)**

The public health council has amended the subdivision entitled "Grade B pasteurized" <sup>1</sup> of regulation 13 of chapter 3 of the Sanitary Code relating to "Milk and cream" to read as follows:

*Grade B pasteurized.*—No milk or cream shall be sold or offered for sale as grade B pasteurized unless it conforms to the following requirements:

The dealer selling or delivering such milk or cream must hold a permit from the local health officer.

All cows producing such milk or cream must be healthy as disclosed by an annual physical examination.

Such milk before pasteurization must not contain more than 300,000 bacteria per cubic centimeter and such cream before pasteurization must not contain more than 1,500,000 bacteria per cubic centimeter.

Such milk must not at any time after pasteurization and previous to delivery to the consumer contain more than 100,000 bacteria per cubic centimeter, and such cream not more than 500,000 bacteria per cubic centimeter.

Such milk and cream must be produced on farms which are duly scored on the score card prescribed by the State commissioner of health not less than 20 per cent for equipment and not less than 35 per cent for methods.

Such milk must be delivered within 36 hours and such cream within 48 hours after pasteurization, unless a shorter time is prescribed by the local health authorities.

The caps or tags on the containers must be white and contain the term "Grade B pasteurized" in large, bright green type, and the name of the dealer.

The provisions of this subdivision shall take effect throughout the State of New York, except in the city of New York, on the 1st day of May, 1915.

**Grocery Stores in Certain Cities—Sleeping Apartments—Must Comply with Regulations of Local Boards of Health. (Chap. 343, Act Apr. 20, 1915.)**

SECTION 1. Article 11 of chapter 49 of the laws of 1909, entitled "An act in relation to the public health, constituting chapter 45 of the consolidated laws," as amended by chapter 422 of the laws of 1910, is hereby amended by inserting after section 236, a new section, to be section 236a, to read as follows:

SEC. 236a. *Sleeping apartments in grocery or provision stores.*—\* \* \* No proprietor of any grocery or provision store located within the boundaries of any city of the first class shall permit any clerk to sleep in any room or apartment in or connected with such store which does not comply with the sanitary regulations of the local board of health; *Providing, however,* That this act shall not affect any proprietor or the family of such proprietor who reside in an apartment connected with such store, which apartment at the time of its building or erection was in conformity with the sanitary regulations of the local board of health. Failure to comply with any of the provisions of this section shall be deemed a misdemeanor.

**Public Water Supplies—Protection—Regulations—Inspection. (Chap. 665, Act May 20, 1915.)**

SECTION 1. Sections 70, 71, and 73 of chapter 49 of the laws of 1909, entitled "An act in relation to the public health, constituting chapter forty-five of the consolidated laws," as amended by chapter 695 of the laws of 1911, are hereby amended to read as follows:

SEC. 70. *Rules and regulations of department.*—The State department of health may make rules and regulations for the protection from contamination of any or all

<sup>1</sup> Reprint No. 279 from the Public Health Reports, p. 124.

public supplies of potable waters and their sources within the State, and the commissioner of water supply, gas, and electricity of the city of New York, and the board of water supply of the city of New York may make such rules and regulations subject to the approval of the State department of health for the protection from contamination of any or all public supplies of potable waters and their sources within the State where the same constitute a part of the source of the public water supply of said city. If any such rule or regulation relates to a temporary source or act of contamination, any person violating such rule or regulation shall be liable to prosecution for misdemeanor for every such violation, and on conviction shall be punished by a fine not exceeding \$200, or imprisonment not exceeding one year, or both. If any such rule or regulation relates to a permanent source or act of contamination, said department may impose penalties for the violation thereof or the noncompliance therewith, not exceeding \$200 for every such violation or noncompliance. Every such rule or regulation shall be published at least once in each week for six consecutive weeks, in at least one newspaper of the county where the waters to which it relates are located. The cost of such publication shall be paid by the corporation or municipality benefited by the protection of the water supply to which the rule or regulation published relates. The affidavit of the printer, publisher, or proprietor of the newspaper in which such rule or regulation is published may be filed with the rule or regulation published, in the county clerk's office of such county, and such affidavit and rule and regulation shall be conclusive evidence of such publication, and of all the facts therein stated in all courts and places.

**SEC. 71. *Inspection of water.***—The officer or board having by law the management and control of the potable water supply of any municipality, and in the city of New York, the commissioner of water supply, gas and electricity, and the board of water supply of the city of New York, or the corporation furnishing such supply, may make such inspection of the sources of such water supply as such officer, board or corporation deems advisable and to ascertain whether the rules or regulations of the State department and of the commissioner of water supply, gas and electricity of the city of New York, and of the board of water supply of the city of New York, are complied with, and shall make such regular or special inspections as the State commissioner of health, or the commissioner of the department of water supply, gas and electricity of the city of New York, or the board of water supply of the city of New York, may prescribe. If any such inspection discloses a violation of any such rule or regulation relating to a temporary or permanent source or act of contamination, such officer, board or corporation shall cause a copy of the rule or regulation violated to be served upon the person violating the same, with a notice of such violation. If the person served does not immediately comply with the rule or regulation violated, such officer, board or corporation, except in a case concerning the violation of a rule or regulation relating to a temporary or permanent source or act of contamination affecting the potable water supply of the city of New York, shall notify the State department of the violation, which shall immediately examine into such violation; and if such person is found by the State department to have actually violated such rule or regulation, the commissioner of health shall order the local board of health of such municipality wherein the violation or noncompliance occurs, to convene and enforce obedience to such rule or regulation.

If the local board fails to enforce such order within 10 days after its receipt, the corporation furnishing such water supply or the municipality deriving its water supply from the waters to which such rule or regulation relates, or the State commissioner of health or the local board of health of the municipality wherein the water supply protected by these rule is used, or any person interested in the protection of the purity of the water supply, may maintain an action in a court of record which shall be tried in the county where the cause of action arose against such person, for the recovery of the penalties incurred by such violation, and for an injunction restraining him from

the continued violation of such rule or regulation. If the person served does not comply within five days with the rule or regulation violated, in case such rule or regulation relates to a temporary or permanent source or act of contamination affecting the potable water supply of the city of New York, the commissioner of water supply, gas, and electricity of said city, or the board of water supply of the city of New York, may summarily enforce compliance with such rule or regulation, and may summarily abate or remove the cause of the violation of such rule or regulation or the nuisance so created, and to that end may employ such force as may be necessary and proper: *Provided, however,* That no building or improvements shall be removed, disturbed, or destroyed by the said commissioner of water supply, or the said board of water supply, until he or they shall cause measurements to be made of the buildings and photographs of the exterior views thereof, which measurements and photographs shall be at the disposition thereafter of the owners or their attorneys, and failure to exercise such right of abatement shall not be deemed a waiver thereof. Failure to comply within five days with such rule and regulation shall further entitle the city of New York to maintain an action in any court having jurisdiction thereof for the recovery of the penalties incurred by such violation and for an injunction restraining the person or persons violating such rule or regulation, or creating or continuing such nuisance, from the continued violation of such rule or regulation or continuance of such nuisance, the remedy by abatement being not exclusive.

SEC. 73. *Sewage*.—When the State department of health, or the commissioner of water supply, gas, and electricity of the city of New York, or the board of water supply of the city of New York, shall, for the protection of a water supply from contamination, make orders or regulations the execution of which will require or make necessary the construction and maintenance of any system of sewage, or a change thereof, in or for any village or hamlet, whether incorporated or unincorporated, or the execution of which will require the providing of some public means of removal or purification of sewage, the municipality or corporation owning the waterworks benefited thereby shall, at its own expense, construct and maintain such system of sewage, or change thereof, and provide and maintain such means of removal and purification of sewage and such works or means of sewage disposal as shall be approved by the State department of health, and for that purpose said municipality or corporation may acquire, under the general condemnation law, the necessary real estate or interests therein whether now used for public or private purposes. When the execution of any such regulations of the State department of health, or the commissioner of water supply, gas, and electricity of the city of New York or the board of water supply of the city of New York, will occasion or require the removal of any building or buildings, the municipality or corporation owning the waterworks benefited thereby shall, at its own expense, remove such buildings and pay to the owner thereof all damages occasioned by such removal. When the execution of any such regulation will injuriously affect any property the municipality or corporation owning the waterworks benefited thereby shall make just and adequate compensation for the property so taken or injured and for all injuries caused to the legitimate use or operation of such property. Until such construction or change of such system or systems of sewerage, and the providing of such means of removal or purification of sewage, and until such works or means of sewage disposal and the removal of any building are so made by the municipality or corporation owning the waterworks to be benefited thereby at its own expense, and until, except in the case of a municipality, the corporation owning the waterworks benefited shall make just and adequate payment for all injuries to property and for all injuries caused to the legitimate use or operation of such property, there shall be no action or proceeding taken by any such municipality, officer, board, person, or corporation against any person or corporation for the violation of any regulation of the State department of health under this article, and no person or corporation shall be considered to have violated or refused to obey any such rule or regulation.

The owner of any building the removal of which is occasioned or required, or which has been removed by any rule or regulation of the State department of health, or the commissioner of water supply, gas and electricity of the city of New York, or the board of water supply of the city of New York, made under the provisions of this article, and all persons whose rights of property are injuriously affected by the enforcement of any such rule or regulation, shall have a cause of action against the municipality or corporation owning the waterworks benefited by the enforcement of such rule or regulation, for all damages occasioned or sustained by such removal or enforcement, including all injuries caused to the legitimate use or operation of such property, and an action therefor may be brought against such municipality or corporation in any court of record in the county in which the premises or property affected is situated and shall be tried thereon; or such damage may be determined by a special proceeding in the supreme court or the county court of the county in which the property is situated. Such special proceedings shall be commenced by petition and notice to be served by such owner upon the municipality or corporation in the same manner as for the commencement of condemnation proceeding. Such municipality or corporation may make and serve an answer to such petition as in condemnation proceedings.

The petition and answer shall set forth the claims of the respective parties, and the provisions of the condemnation law shall be applicable to the subsequent proceedings upon the petition and answer, if any. Either party may, before the service of the petition or answer respectively, offer to take or pay a certain sum, and no costs shall be awarded against either party unless the judgment is more unfavorable to him than his offer. *Provided, however,* That in the case of a summary abatement by a municipality as hereinbefore provided, no costs shall be awarded against the owner of the property damaged, and the commissioners of appraisal in their report shall recommend such additional sum as may in their judgment be reasonable as compensation for witnesses and other necessary expenses of claimant. Such municipality shall, within three calendar months after the confirmation of the report of the commissioners of appraisal, pay to the respective owners and bodies politic or corporate, mentioned or referred to in said report, in whose favor any sum or sums of money shall be estimated and reported by said commissioners, the respective sum or sums so estimated and reported in their favor respectively, with lawful interest thereon. And in case of neglect or default in the payment of the same within the time aforesaid, the respective person or persons or bodies politic or corporate in whose favor the same shall be so reported, his, her, or their executors, administrators, or successors, at any time or times, after application first made by him, her, or them to such municipality for payment thereof, may sue for and recover the same, with lawful interest as aforesaid, and the costs of suit in any proper form of action against such municipality in any court having cognizance thereof, and it shall be sufficient to declare generally for so much money due to the plaintiff or plaintiffs therein by virtue of this act, and the report of said commissioners, with proof of the right and title of the plaintiff or plaintiffs to the sum or sums demanded shall be conclusive evidence in such suit or action.

SEC. 2. Article 5 of said chapter is hereby amended by adding thereto a new section, to be known as section 73a, to read as follows:

SEC. 73a. Nothing contained in this chapter shall extend the sanitary control of the board of water supply of the city of New York, beyond the sources of potable water supply, tributary to the Catskill Aqueduct; and the powers granted by this chapter to the board of water supply of the city of New York shall cease at the time of the transference of the jurisdiction over the source of water supply, by the board of water supply to the commissioner of water supply, gas, and electricity of the city of New York; and at no time shall the commissioner of water supply, gas, and electricity of the city of New York and the board of water supply of said city have or exercise concurrent

powers or sanitary control over the sources of potable water supply tributary to the Catskill Aqueduct.

SEC. 3. Nothing contained herein shall repeal or modify any of the provisions of chapter 724 of the laws of 1905, as amended by chapter 314 of the laws of 1906.

**Habit-Forming Drugs—Sale and Dispensing. Hypodermic Syringes—Sale of. Drug Addicts—Commitment of. (Chap. 327, Act Apr. 17, 1915.)**

SECTION 1. Sections 245, 246, 247, 248, 249, 249a, and 249d of chapter 49 of the laws of 1909, entitled "An act in relation to the public health, constituting chapter 45 of the consolidated laws," as added by chapter 363 of the laws of 1914,<sup>1</sup> are hereby amended to read, respectively, as follows:

SEC. 245. *Sale prohibited; exception.*—No pharmacist, druggist, or other person shall sell, have or offer for sale or give away any chloral, opium, or any of its salts, alkaloids, or derivatives or any compound or preparation of any of them except upon the written prescription of a duly licensed physician, veterinarian, or dentist: *Provided*, That the provisions of this article shall not apply to the sale of domestic and proprietary remedies, nor to physicians' prescriptions, compounded solely for the person named in the original prescription, actually sold in good faith as medicines and not for the purpose of evading the provisions of this article: *And provided further*, That such remedies and preparations do not contain more than 2 grains of opium, or one-fourth grain of morphine, or one-eighth grain of heroin, or 1 grain of codeine, or 10 grains of chloral, or their salts in 1 fluid ounce, or if a solid preparation, in 1 avoirdupois ounce, nor to plasters, linaments, and ointments for external use only.

SEC. 246. *Prescriptions; certificates.*—It shall be unlawful for any person to sell at retail or give away any of the drugs, their salts, derivatives, or preparations mentioned in section 245 of this chapter, except as herein provided, without first receiving a written prescription signed by a duly licensed physician, veterinarian, or dentist. The prescription must contain substantially the following: The name in full of the physician, veterinarian, or dentist issuing such prescription, his office address, and the name, age, and address of the person to whom and date on which such prescription is issued. It shall be unlawful for any duly licensed physician, veterinarian, or dentist to issue any such prescription containing any of the drugs, their salts, derivatives, or preparations mentioned in section 245 of this chapter, for [sic] any duly licensed physician to dispense, give, or deliver any of the said drugs, their salts, derivatives, or preparations, except after a physical examination of any person for the treatment of disease, injury, or deformity. It shall be unlawful for any person to sell at retail any of the drugs or preparations of any of those mentioned in section 245 of this article without first verifying the authority of any prescription containing more than 4 grains of morphine, 30 grains of opium, 2 grains of heroin, 6 grains of codeine, or 4 drams of chloral. Such verification can be made by telephone or otherwise. Such prescriptions so received shall be filled out at the time of receiving the same for the full quantity prescribed, and no prescription so received shall be filled out more than 10 days after the date which said prescription be dated. Such prescription, from which no copy shall be taken shall be retained by the person who dispenses the same and shall be filled but once. A separate file of all such prescriptions shall be kept by the pharmacist or druggist filling the same, but such prescriptions may be numbered consecutively with other prescriptions received. Unless so separately filed a record must be kept showing:

1. The file number given to each prescription filled;
2. The name of the physician or surgeon signing the same; and
3. The name of the person for whom such prescription is filled.

<sup>1</sup> Reprint No. 279 from the Public Health Reports, p. 133.

Any person who sells at retail, furnishes, or dispenses any of the drugs mentioned in section 245 of this chapter upon a written prescription by a duly registered physician or veterinarian or dentist shall at the time of dispensing the same place upon the package a label or deliver therewith a certificate stating the name and address of the person selling or furnishing the same, the name and address of the physician, veterinarian, or dentist upon whose prescription such sale is made, the date of sale, and the name of the person to whom such sale is made. Any person other than a manufacturer of any of the drugs mentioned in section 245 or a wholesale dealer in drugs or a licensed pharmacist, licensed druggist, duly registered practicing physician, licensed veterinarian, or a licensed dentist, who shall possess any of the drugs mentioned in section 245 or their salts, derivatives, or preparations, shall be guilty of a misdemeanor, unless said possession is authorized by the certificate described in this section. Nothing herein contained shall be construed to prohibit the sale of any of such drugs by any manufacturing pharmacists or chemists or wholesale or retail pharmacists or druggists to other manufacturing pharmacists or chemists, or wholesale or retail pharmacists or druggists, or to hospitals, colleges, scientific or public institutions, except that such sale shall be made in the manner provided in the next succeeding section.

SEC. 247. *Order blanks; filing.*—The State commissioner of health shall prepare and furnish to all boards of health or officers official order blanks, serially numbered in duplicate, bound in book form, with carbon or transfer paper between the duplicate pages. The said official order shall be furnished by the local health board or officer to any local duly licensed physician, dentist, pharmacist, druggist, or veterinarian, upon which must be written all orders for the purchase of any of the drugs enumerated in section 245 of this chapter for the use of such physician, dentist, pharmacist, druggist, or veterinarian. It shall be unlawful for any person to sell, furnish, or dispose to any physician, pharmacist, druggist, veterinarian, or dentist any of the drugs enumerated in section 245 of this chapter without first receiving from such physician, pharmacist, druggist, veterinarian, or dentist an official order blank as provided in this section, which official order shall be retained by the person or corporation who sells, furnishes, or dispenses any of the drugs enumerated in section 245 of this chapter, and such official order shall be kept in a separate file or book and an entry made or caused to be made on the order at the time of making such sale, stating the date of sale, the name and address of the purchaser and the name of the person making such sale.

In lieu of preparing and furnishing order blanks under this section, however, the State commissioner of health may approve order blanks provided for in any act of Congress regulating the purchase by and sale of such drugs to physicians, pharmacists, druggists, veterinarians, and dentists, and may provide by rule or regulation that the use of such approved order blanks in the manner and for the purposes set forth in this section shall be a sufficient compliance with the provisions hereof. Such approval, rule, or regulation may be suspended or revoked by the commissioner at any time, thereby restoring all the requirements of this section.

SEC. 248. *Physicians, etc., to keep records.*—All persons authorized by law to sell, administer, prescribe, dispense, or dispose of any of the drugs enumerated in section 245 of this chapter, shall forthwith keep on record the name and address of each person to whom such drug is dispensed, given, or in any manner delivered and the quantity so dispensed, given, or delivered, and shall likewise keep a record of any disposition made of any quantity of any such drug referred to, whether such disposition be in the preparation of compounds or otherwise, and if used in the preparation of compounds the quantity so used in each compound and where placed. Such record shall be preserved for two years and shall always be open for inspection by the proper authorities. Any violation of this section is hereby declared to be a misdemeanor.

**SEC. 249. Hypodermic syringe; sale of; record; penalty.**—It is unlawful for any person to sell at retail or to furnish to any person other than a duly licensed physician, dentist, or veterinarian, an instrument commonly known as a hypodermic syringe or an instrument commonly known as a hypodermic needle, without the written order of a duly licensed physician, dentist, or veterinarian. Every person who disposes of or sells at retail, or furnishes or gives away to any person, either of the above instruments, upon the written order of a duly licensed physician, dentist, or veterinarian, shall, before delivering the same, enter in a book kept for that purpose the date of the sale, the name and address of the purchaser, and a description of the instrument sold, disposed of, furnished, or given away. Any person or persons who sell, dispose of, or give away an instrument commonly known as a hypodermic syringe, or an instrument commonly known as a hypodermic needle, except in the manner prescribed in this section, shall be guilty of a misdemeanor.

**SEC. 249a. Commitment of habitual drug users; procedure; discharge.**—The constant use by any person of any habit-forming drug, except under the direction and consent of a duly licensed physician, is hereby declared to be dangerous to the public health. Whenever a complaint shall be made to any magistrate that any person is addicted to the use of any habit-forming drug, without the consent or direction of a duly licensed physician, such magistrate, after due notice and hearing, is [sic.] satisfied that the complaint is founded and that the person is addicted to the use of a habit-forming drug, shall commit such person to a State, county, or city hospital or institutions licensed under the State lunacy commission, or any correctional or charitable institution maintained by the State or any municipality thereof, for the treatment of disease or inebriety. Any court having jurisdiction of a defendant in a criminal proceeding, if it appears that a defendant is a habitual drug user, may commit such user for treatment as herein provided at any stage of such proceeding against such defendant, and may stay proceedings, withhold conviction, or suspend sentence pending the period of such commitment. Whenever the chief medical officer of such institution shall certify to any magistrate that any person so committed has been sufficiently treated or give any other reason which is deemed adequate and sufficient, he may discharge the person so committed.

Every person committed under the provisions of this section shall observe all the rules and regulations of the institution or hospital. Any such person who willfully violates the rules and regulations of the institution or repeatedly conducts himself in a disorderly manner may be taken before a magistrate by the order of the chief medical officer of the institution. The chief medical officer may enter a complaint against such person for disorderly conduct and the magistrate, after a hearing and upon due evidence of such disorderly conduct, may commit such person for a period of not to exceed six months to any institution to which persons convicted of disorderly conduct or vagrancy may be committed, and such institution shall keep such persons separate and apart from the other inmates, provided that nothing in this section shall be construed to prohibit any person committed to any institution under its provisions from appealing to any court having jurisdiction for a review of the evidence in which this commitment was made.

**SEC. 249d. Penalties.**—Any violation of any of the provisions of this article shall be deemed a misdemeanor, except that the sale, the offering for sale, or the giving away, or dispensing of the drugs mentioned in section 245 of this act, otherwise than as permitted by this act, to any child under the age of 16 years shall be deemed a felony. Nothing contained in this article shall be construed to amend or repeal section 1746 of the penal law.

#### **Poisons and Drugs—Sale of. (Chap. 502, Act May 3, 1915.)**

**SECTION 1.** Sections \* \* \* and 238 of chapter 49 of the laws of 1909, entitled "An act in relation to public health, constituting chapter 45 of the consolidated

laws," as amended by chapter 422 of the laws of 1910, are hereby amended to read, respectively, as follows:

\* \* \* \* \*

"SEC. 238. *Poison schedules; register.*—It is unlawful for any person to sell at retail or to furnish any of the poisons of schedules A and B without affixing or causing to be affixed to the bottle, box, vessel, or package a label with the name of the article and the word poison distinctly shown and with the name and place of business of the seller all printed in red ink, together with the name of such poisons printed or written thereupon in plain legible characters.

"Wholesale dealers in drugs, medicines, pharmaceutical preparations, chemicals, or poisons, shall affix or cause to be affixed to every bottle, box, parcel, and outer inclosure of any original package containing any of the articles of schedule A a suitable label or brand in red ink with the word poison upon it.

"*Register.*—Every person who disposes of or sells at retail or furnishes any poisons included in schedule A shall, before delivering the same, enter in a book kept for that purpose the date of sale, the name and address of the purchaser, the name and the quantity of the poison, the purpose for which it is purchased, and the name of the dispenser. The poison register must be always open for inspection by the proper authorities and must be preserved for at least five years after the last entry. He shall not deliver any of the poisons of schedules A or B until he has satisfied himself that the purchaser is aware of its poisonous character and that the poison is to be used for a legitimate purpose. The provisions of this paragraph do not apply to the dispensing of medicines or poisons on physicians' prescriptions.

"The board shall add to any of the schedules from time to time as such action becomes necessary for the protection of the public. Schedules A, B, and C shall remain in force until amended by the rules."

SEC. 2. Section 240 of such chapter, as amended by chapter 422 of the laws of 1910 and chapter 630 of the laws of 1911, is hereby amended to read as follows:

"SEC. 240. *Revocation of license; misdemeanors; violations and penalties.*—No license or certificate shall be granted to any applicant guilty of felony or gross immorality, or that is addicted to the use of alcoholic liquors or narcotic drugs to such an extent as to render him unfit to practice pharmacology. Any license or certificate obtained by misrepresentation or fraud or that is held by any one unfit or incompetent from negligence, habits or other cause may be revoked after reasonable notice and an opportunity to be heard. The willful and repeated violation of any of the provisions of this article or the rules is sufficient cause for the revocation of a license or certificate. The license or certificate revoked shall on formal notice be delivered immediately to the board.

"*Misdemeanors.*—It is a misdemeanor for—

\* \* \* \* \*

"10. Any person to adulterate, misbrand or substitute any drug knowing or intending that it shall be used, or sells, offers for sale or causes to be sold any adulterated, misbranded or substituted drug.

"11. Any person to violate any of the provisions of this article in relation to the wholesaling, retailing or dispensing of drugs, chemicals, medicines, prescriptions and poisons for which violations no other punishment is imposed.

"*Violations and penalties.*—Any person that violates any of the provisions of this article who is not criminally prosecuted, on complaint of the board, as for a misdemeanor, shall forfeit to the people of the State of New York the sum of \$50 for every such violation, which may be paid to the board or sued for and recovered in the name of the people of the State of New York in an action brought therefor by the attorney general.

"A person accused of violation of any of the provisions of this article relating to adulterating, misbranding, or substitution shall not be prosecuted or convicted or suffer any of the penalties, fines, or forfeitures for such violation, if he establishes upon the hearing or trial that the drug or drugs alleged to be adulterated, misbranded, or



substituted were purchased by him under a guaranty of the manufacturer or seller to the effect that said drug or drugs were not adulterated or misbranded within the meaning of this article and proves that he has not adulterated, misbranded, or substituted the same. A guaranty in order to be a defense to a prosecution or to prevent conviction or to afford protection, must state that the drug or drugs to which it refers are not adulterated, misbranded, or substituted within the meaning of the provisions of the statute of New York State and must state also the full name, and place of business of the manufacturer, wholesaler, jobber, or other person from whom the drug or drugs were purchased.

"In construing and enforcing the provisions of this article the word 'person' shall import both the plural and singular and shall include corporations, companies, partnerships, societies, and associations, and the act, omission, or failure of any officer, agent, or other employee acting for or employed by any person within the scope of his authority or employment shall in every case be the act, omission, or failure of the person as well as that of the officer, agent, or other employee, and such person shall be equally liable for violations of this article by a partnership, association, or corporation, every member of the partnership or association and the directors and general officers of the corporation and the general manager of the partnership, association, or corporation, shall be individually liable and any action, prosecution, or proceeding authorized by this article may be brought against any or all of such persons. When any prosecution under this article or under section 1142, section 80, section 81, section 82, section 1742, section 1743, section 1745, section 1746, section 1747, section 1748, section 1749, and section 1760 of the penal law and any amendment thereto is made on the complaint of the board, any fines collected shall be paid into the State treasury as provided by this article."

SEC. 3. Section 240a<sup>1</sup> of such chapter, as added by chapter 223 of the laws of 1913, is hereby amended to read as follows:

"SEC. 240a. *Proof required in prosecuting for certain violations.*—In an action or proceeding, civil or criminal, against any person for violating any provision of this article relating to retailing or dispensing drugs, chemicals, medicines, prescriptions, and poisons, or to misbranding or substituting, it shall be necessary to prove at the trial or hearing that at the time and place of the taking of any sample of drugs, chemicals, medicines, or poisons, to be analyzed, the person taking the same divided it into two substantially equal parts, hermetically or otherwise effectively and completely sealed, delivered one such sealed part to the seller, pharmacist, druggist, or storekeeper from whose premises such sample was taken and delivered the other part so sealed to the chemist designated by the State board of pharmacy; and the facts herein required to be proven shall be alleged in the complaint or information by which such action or proceeding was begun. The rules of the board shall be proven *prima facie* by the certificate of the secretary."

SEC. 4. Section 241 of such chapter, as amended by chapter 422 of the laws of 1910, is hereby amended to read as follows:

"SEC. 241. *Schedules A, B, and C.*—These schedules remain in force until revised by the board and approved by the regents.

"*Schedule A.*—Arsenic, atropine, corrosive sublimate, potassium cyanide, chloral hydrate, hydrocyanic acid, morphine, strychnine, and all other poisonous vegetable alkaloids and their salts, oil of bitter almond containing hydrocyanic acid, opium and its preparations, except paregoric and such others as contain less than 2 grains of opium to the ounce.

"*Schedule B.*—Aconite, belladonna, cantharides, colchicum, conium, cotton root, digitalis, ergot, hellebore, henbane, phytolacca, strophanthus, oil of savin, oil of tansy, veratrum viride, and their pharmaceutical preparations, arsenical solutions, carbolic acid, chloroform, creosote, croton oil, white precipitate, methyl or wood alcohol,

<sup>1</sup> Reprint No. 264 from the Public Health Reports, p. 326.

mineral acids, oxalic acid, Paris green, salts of lead, salts of zinc, or any drug, chemical, or preparation which is destructive to adult human life in quantities of 60 grains or less.

*"Schedule C.*—Ammonia water, bicarbonate of soda, borax, camphor, castor oil, cream of tartar, dyestuffs, essence of peppermint, essence of wintergreen, nonpoisonous flavoring essences or extracts, glycerine, licorice, olive oil, sal ammoniac, saltpeter, sal soda, epsom salt, rochelle salt, sulphur, cod liver oil, vaseline, petroleum jellies, oil of origanum, oil of spike, flaxseed, rock candy, butter color, malt extract, extract of beef, beef, iron and wine, extract of witch hazel, quinine pills, cathartic pills, seidlitz powders, bay rum, perfumes, toilet water, turmeric, talcum powder, composition powder, porous plasters, court plasters, copperas, alum, gum arabic, lithia water."

**Births and Deaths—Fees for the Registration of.** (Chap. 385, Act Apr. 26, 1915.)

SECTION 1. Section 390<sup>1</sup> of chapter 49 of the laws of 1909, entitled "An act in relation to the public health, constituting chapter 45 of the consolidated laws," as added by chapter 619 of the laws of 1913, is hereby amended to read as follows:

*"Sec. 390. Fees of registrar for the prompt and correct return and filing of birth and death certificates.*—Except as hereinbefore otherwise provided each registrar and each physician shall be paid the sum of 25 cents for each birth certificate properly and completely made out and registered and each death certificate properly and completely made out in accordance with the international list of causes of death and returned and filed with the registrar and correctly recorded and promptly returned by him to the State commissioner of health, as required by this act. And in case no births or no deaths were registered during any month, the local registrar shall be entitled to be paid the sum of 25 cents for each report to that effect, but only if such report be made promptly as required by this act. All amounts payable to the local registrar under the provisions of this article shall be paid by the municipality comprising the registration district, upon certification by the State commissioner of health, and all amounts payable to physicians shall be certified to by the local registrar annually and paid to said physicians by said municipality. The State commissioner of health shall annually certify to the municipality the number of births and deaths properly registered, with the name of the local registrar and the amount due him at the rate fixed herein."

**Deaths—Transportation of Dead Bodies by Common Carriers.** (Reg. Commissioner of Health, June 25, 1915.)

[In effect throughout the State of New York, except in the city of New York, on Aug. 1, 1915.]

RULE 1. A transit permit and transit label issued by the local registrar of vital statistics must accompany each dead body transported by a common carrier.

The transit permit shall state the date of issuance, the name, sex, race, and age of the deceased, and the cause and date of death. The transit permit shall also state the date and route of shipment, the point of shipment and destination, the method of preparation of the body, and shall bear the signature of the undertaker and the signature and official title of the officer issuing the permit.

The transit label shall state the date of issuance, the name of the deceased, the place and date of death, the name of the escort or consignee, the point of shipment and destination; and shall bear the signature and official title of the officer who issued the transit permit. The transit label shall be attached to the outer box or case.

RULE 2. The transportation by common carriers of bodies dead of any diseases other than those mentioned in rule 3 shall be permitted only under the following conditions:

<sup>1</sup> Reprint No. 264 from the Public Health Reports, p. 333.

(a) The coffin or casket shall be encased in a strong outer box made of good, sound lumber, not less than seven-eighths of an inch thick. All joints shall be securely put together and the box tightly closed. Either the coffin or casket, or the outer box or case, shall be water-tight.

(b) When the destination can not be reached within 24 hours after death, all body orifices shall be closed with absorbent cotton, and the body placed at once in a coffin or casket, which shall be immediately closed and the coffin or casket shall be encased in a strong outer box made of good, sound lumber, not less than seven-eighths of an inch thick. All joints must be securely put together and the box tightly closed, and either the coffin or casket, or the outer box or case, shall be water-tight.

**RULE 3.** The transportation by common carrier of bodies dead of smallpox, plague, Asiatic cholera, typhus fever, diphtheria (membranous croup, diphtheritic sore throat), scarlet fever (scarlet rash, scarlatina), shall be permitted only under the following conditions:

All body orifices shall be closed with absorbent cotton, the body shall be enveloped in a sheet saturated with an effective disinfecting fluid, and shall be placed at once in a coffin, which shall be immediately and permanently closed. The coffin or casket shall be encased in a strong outer box made of good, sound lumber, not less than seven-eighths of an inch thick, all joints of which shall be securely put together, and the box shall be tightly and permanently closed. Either the coffin or casket, or the outer box or case, shall be water-tight.

**RULE 4.** No dead body shall be disinterred for transportation by common carrier without the previous consent of authorities having jurisdiction at the place of disinterment. The transit permit and transit label shall be required as provided in rule 1, and paragraph (a) of rule 2 shall apply.

**RULE 5.** Every outside case holding any dead body offered for transportation by common carrier shall bear at least four handles, and when over 5 feet 6 inches in length shall bear six handles.

#### **Deaths—Transportation of Dead Bodies by Common Carriers. (Reg. Public Health Council, May 4, 1915.)**

**REG. 9. Transportation of dead bodies by common carriers.**—The transportation of dead human bodies by common carriers shall be conducted in such manner as not to be a menace to health, and the manner of transportation shall be subject to the special administrative regulations of the State commissioner of health.

This regulation shall take effect throughout the State of New York, except in the city of New York, on the 1st day of August, 1915.

#### **Burial—Removal of Bodies from One Cemetery to Another. (Chap. 213, Act Apr. 5, 1915.)**

**SECTION 1.** Section 9 of chapter 53 of the laws of 1909, entitled "An act in relation to religious corporations, constituting chapter 51 of the consolidated laws," is hereby amended so as to read as follows:

**SEC. 9. Removal of human remains from one cemetery of a religious corporation to another cemetery owned by it.**—A religious corporation, notwithstanding the restrictions contained in any conveyance or devise to it, may remove the human remains buried in a cemetery owned by it, or when such church corporation is situated outside of a city in the grounds surrounding the church belonging to such corporation, to another cemetery owned by it, or to a plot or lot acquired by it in any other cemetery located in the same town, or in a town adjoining the town or city in which the cemetery wherein such human remains are buried is located, if the trustees thereof so determine; and if either three-fourths of the members of such corporation, qualified to vote at its

corporate meetings, sign and acknowledge and cause to be recorded in the office of the clerk of the county in which such cemetery or a part thereof is situated, a written consent thereto, or if three-fourths of the members of such corporation qualified to vote, and present and voting, at a corporate meeting of such corporation, specially called for that purpose, shall approve thereof. But if such corporation be a church, previous notice of the object of such meeting shall be published for at least four successive weeks in a newspaper of the town, village, or city in which the cemetery from which the removal is proposed, is situated, or if no newspaper is published therein, then in a newspaper designated by the county judge of such county. Such removal shall be made in an appropriate manner and in accordance with such directions as to the manner thereof, as may be given by the board of health of the town, village, or city in which the cemetery from which the removal is made, is situated. All tombstones, monuments, or other erections at or upon any grave from which any remains are removed, shall be properly replaced or raised at the grave where the remains are reinterred.

**Sewers—Connection of, with Those of Another Municipality.** (Chap. 25, Act Mar. 4, 1915.)

SECTION 1. Section 276 of chapter 64 of the laws of 1909, entitled "An act relating to villages, constituting chapter 64 of the consolidated laws," as amended by chapter 212 of the laws of 1909 and chapter 122 of the laws of 1912, is hereby amended to read as follows:

SEC. 276. *Contracts with other municipalities, sewer districts, etc.*—The board of sewer commissioners may contract for the connection of the sewers thereof with the sewers of another village, or of a town, or city, or of a sewer district established under the provisions of article 11 of the town law; or jointly with such other village or a town, or city, or sewer district established as aforesaid, may construct, maintain, operate or use sewers, outlets, or disposal works; or may contract with any such other village, or a town, or city, or sewer district established as aforesaid for the right to construct and maintain through any such other village, town, or city, or sewer district established as aforesaid, an outlet sewer, including the right to acquire real property for such sewer outlet, which thereupon may be acquired either at private sale or by condemnation as authorized by this act. No sewer, outlet, or disposal works of any other village, town, or sewer district thereof, or city, shall be constructed in any village without the approval of the board of sewer commissioners of the village in which such sewer, outlet, or disposal works shall be constructed, and no such contract shall be made unless a proposition therefor be adopted by the village constructing the sewer, outlet, or disposal works, stating the maximum expense.

**Barbers and Barber Shops—Sanitary Precautions.** (Reg. Public Health Council, Feb. 2, 1915.)

The Public Health Council of the State of New York has amended regulation 4,<sup>1</sup> chapter 7, of the Sanitary Code of the State of New York, so as to read as follows:

REG. 4. *Barbers and barber shops.*—Every barber or other person in charge of any barber shop shall keep such barber shop at all times in a clean and sanitary condition.

No person shall act as a barber who is affected with a venereal disease in the communicable stage or with any communicable disease enumerated in this code in an acute form or with any communicable disease of the skin.

The hands of the barber shall be washed with soap and water before serving each customer.

Brushes and combs shall frequently be cleansed with soap and water.

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<sup>1</sup> Reprint No. 279 from the Public Health Reports, p. 131.

Shaving mugs and brushes shall be thoroughly rinsed after each use thereof.

There shall be a separate clean towel for each customer. The head rest shall be covered by a clean towel or paper.

Alum or other material used to stop the flow of blood shall be applied in powdered or liquid form only.

After the handling of a customer affected with any eruption, or whose skin is broken out, or is inflamed or contains pus, the hands of the barber shall be immediately disinfected. This shall be done by thorough washing with soap and water, followed by rinsing in alcohol (70 to 80 per cent) or in a solution of corrosive sublimate (1 to 1,000), or by the use of some equally efficient disinfectant.

The instruments used for a customer affected with any of the above-named disorders shall be made safe immediately after such use by washing with soap and water and dipping for one minute in a 10 per cent solution of commercial (40 per cent) formalin, or dipping for three minutes in alcohol (70 to 80 per cent), or by the use of some equally efficient disinfectant.

No cup or brush which has been used in the shaving of a customer affected with any of the above infectious disorders of the face shall be used for another customer unless the cup shall have been emptied and cleansed by boiling water and furnished with fresh soap and the brush has been sterilized by a three minutes' exposure to alcohol (70 to 80 per cent), or to a corrosive sublimate solution (1 to 1,000), or by the use of some equally efficient disinfectant.

This regulation shall take effect throughout the State of New York, except in the city of New York, on the 1st day of March, 1915.

**Advertisements—Untrue, Deceptive, or Misleading, Prohibited. (Chap. 569, Act May 10, 1915.)**

SECTION 1. Section 421 of chapter 88 of the laws of 1909, entitled "An act providing for the punishment of crime, constituting chapter 40 of the consolidated laws," as amended by chapter 759 of the laws of 1911, chapter 321 of the laws of 1912, and chapter 590 of the laws of 1913, is hereby repealed and in its place there shall be a new section 421 to read as follows:

SEC. 421. *Untrue and misleading advertisements.*—If any person, firm, corporation, or association, or agent or employee thereof, with intent to sell or in any wise dispose of merchandise, real estate, service, or anything offered by such person, firm, corporation, or association, or agent or employee thereof, directly or indirectly, to the public for sale or distribution, or with intent to increase the consumption thereof, or to induce the public in any manner to enter into any obligation relating thereto, or to acquire title thereto, or an interest therein, knowingly makes, publishes, disseminates, circulates, or places before the public, or causes, directly or indirectly, to be made, published, disseminated, circulated, or placed before the public, in this State, in a newspaper, magazine, or other publication, or in the form of a book, notice, circular, pamphlet, letter, handbill, poster, bill, sign, placard, card, label, or tag, or in any other way, an advertisement, announcement, or statement of any sort regarding merchandise, service, or anything so offered to the public which contains any assertion, representation, or statement of fact that is untrue, deceptive, or misleading, or that amounts to an offer to sell, barter, or exchange real estate, by means of prizes, rewards, distinctions, or puzzle methods, such person, corporation, or association, or the members of such firm, or the agent of such person, corporation, association, or firm, shall be guilty of a misdemeanor, punishable by a fine of not less than \$25 nor more than \$1,000, or by imprisonment for not more than one year, or by both such fine and imprisonment.

SEC. 2. This act shall take effect September 1, 1915.

**Health Laws and Regulations—Penalty for Violation of. (Chap. 384, Act Apr. 28, 1915.)**

SECTION 1. Chapter 49 of the laws of 1909, entitled "An act in relation to the public health, constituting chapter 45 of the consolidated laws," is hereby amended by adding at the end of article 2 a new section, to be section 17, to read as follows:

"SEC. 17. *Violations of health laws or regulations.*—Any person violating, disobeying, or disregarding the terms of any lawful notice, order, or regulation prescribed by the State commissioner of health or by the sanitary code, or any provision of the public health law or sanitary code, for which a civil penalty is not otherwise expressly prescribed by law, shall be liable to the people of the State for a civil penalty of not to exceed \$50 for every such violation. Nothing in this section contained shall be construed to alter or repeal any existing provision of law declaring such violations or any of them misdemeanors or felonies or prescribing the penalty therefor."

## NORTH CAROLINA.

### Ophthalmia Neonatorum—Prevention of. (Chap. 272, Act Mar. 9, 1915.)

SECTION 1. That it shall be unlawful for any physician to neglect or otherwise fail to instill or have instilled immediately upon its birth in the eyes of the new-born babe a suitable amount of a 1 per cent solution of nitrate of silver.

SEC. 2. Should any midwife or nurse or person acting as nurse, having charge of an infant in this State, notice that one or both eyes of such infant are inflamed or reddened at any time within two weeks after its birth it shall be the duty of such midwife or nurse, or person acting as nurse, so having charge of such infant, to report the fact in writing within six hours to the health officer, or some qualified practitioner of medicine, of the city or town in which the parents of the infant reside.

SEC. 3. Every health officer shall furnish a copy of this act to each person who is known to him to act as midwife or nurse in the city or town for which such health officer is appointed, and the secretary of State shall cause a sufficient number of copies of this act to be printed, and supply the same to the health officer and State board of health on application.

SEC. 4. Any person violating this act shall be guilty of a misdemeanor and upon conviction shall be fined not less than \$5 nor more than \$10.

### Tuberculosis—Local Authorities Authorized to Provide for Treatment at State Sanatorium. (Chap. 181, Act Mar. 9, 1915.)

SECTION 1. That any city or town in the State of North Carolina through its board of aldermen, town council, or other governing body, and any county in the State of North Carolina through its board of commissioners, is hereby authorized and empowered to provide for the treatment of any tubercular person or persons resident in and who is a bona fide citizen of said city, town, or county, at the North Carolina sanatorium for the treatment of tuberculosis, and pay therefor to the said North Carolina sanatorium for the treatment of tuberculosis an amount which shall not be more than \$1 per day per patient.

### Tuberculosis—Training School for Nurses for Treatment of. (Chap. 163, Act Mar. 8, 1915.)

SECTION 1. The State sanatorium for the treatment of tuberculosis, located at Sanatorium, N. C., is hereby authorized and power is hereby expressly given it to organize and conduct a training school for nurses in connection with the said sanatorium.

SEC. 2. The superintendent of the said, the North Carolina sanatorium for the treatment of tuberculosis, shall be ex officio dean of the training school for nurses, and he shall have power and authority to appoint such faculty, prescribe such course or courses of lectures, study, and clinical work; and award such diplomas, certificates, or other evidence of the completion of such course or courses as he may think wise and proper, and perform such other functions and do such other acts as he may think necessary in the conduct of the said training school.

**State Board of Health—Appropriation. (Chap. 167, Act Mar. 8, 1915.)**

SECTION 1. That chapter 181 of the public laws of 1913 be and the same is hereby amended by striking out section 14<sup>1</sup> of said chapter and substituting therefor the following:

SEC. 14. For carrying out the provisions of this act \$30,000 is hereby annually appropriated to be paid by the State auditor on requisition signed by the secretary and president of the State board of health.

SEC. 2. This act shall not be construed to affect the appropriation made for the purpose of collecting vital statistics and enforcing the law in regard thereto.

**County Boards of Health—Appointment, Powers, and Duties. County Physicians or County Health Officers—Appointment of. (Chap. 214, Act Mar. 9, 1915.)**

Section 9<sup>2</sup> of chapter 62 of the public laws of 1911, as amended by the public laws of 1913, was amended to read as follows:

SEC. 9. *County board of health, who constitutes; election of county physician or county health officer.*—The chairman of the board of county commissioners, the mayor of the county town, and in county towns where there is no mayor the clerk of the superior court, and the county superintendent of schools shall meet together on the first Monday in April, 1911, and thereafter on the first Monday of January in the odd years of the calendar, and elect from the regularly registered physicians of the county, two physicians, who, with themselves, shall constitute the county board of health. The chairman of the board of county commissioners shall be the chairman of the county board of health, and the presence of three members at any regular or called meeting shall constitute a quorum. The term of office of members of the county board of health shall terminate on the first Monday in January in the odd years of the calendar, and while on duty they shall receive \$4 per diem, to be paid by the county. The county board of health shall have the immediate care and responsibility of the health interests of their county. They shall meet annually in the county town, and three members of the board are authorized to call a meeting of the board whenever in their opinion the public health interest of the county requires it. They shall make such rules and regulations, pay such fees and salary, and impose such penalties as in their judgment may be necessary to protect and advance the public health: *Provided*, That all expenditures shall be approved by the board of county commissioners before being paid. The board of health shall meet on the first Monday of July, 1913, and thereafter on the second Monday of January in the odd years of the calendar, and elect either a county physician, whose tenure of service shall be terminable at the pleasure of the county board of health, or a county health officer, who shall serve thereafter until the second Monday in January of the odd years of the calendar: *Provided*, That if the county board of health of any county shall fail to elect a county physician or county health officer within two calendar months of the time set in this section, the secretary of the State board of health shall appoint a registered physician of good standing in the said county to the office of county physician, who shall serve the remainder of the two years, and shall fix his compensation, to be paid by the said county, in proportion to the compensation paid by other counties for like service, having in view the amount of tax collected by said county.

**Births and Deaths—Registration of. (Chap. 20, Act Feb. 8, 1915; Chap. 85, Act Mar. 4, 1915; Chap. 164, Act Mar. 8, 1915.)**

Sections 4, 5, 13, 18, and 19 of chapter 109<sup>3</sup> of the public laws of 1913 were amended to read as follows:

SEC. 4. That within 90 days after the taking effect of this act, or as soon thereafter as possible, the chairman of every board of county commissioners in the State of

<sup>1</sup> The section referred to is section 35 on page 345 of Reprint No. 264 from the Public Health Reports.

<sup>2</sup> Reprint No. 264 from the Public Health Reports, p. 338.

<sup>3</sup> *Ibid.*, p. 349.



North Carolina shall appoint a local registrar of vital statistics for each township in his county, and the mayor of every incorporated town or city in the State of North Carolina shall appoint a local registrar of vital statistics for his town or city, and the chairmen of the boards of county commissioners and the mayors of the cities or towns shall notify the State registrar, in writing, of the name and address of each local registrar so appointed. The term of office of each local registrar so appointed shall be four years, beginning with the first day of January of the year in which the local registrar is appointed, and until his successor has been appointed and has qualified, unless such office shall sooner become vacant by death, disqualification, operation of law, or other cause: *Provided*, That in cities where health officers or other officials are, in the judgment of the State board of health, conducting effective registration of births and deaths under local ordinances at the time of the taking effect of this act, such officials may be appointed as registrars in and for such cities, and shall be subject to the rules and regulations of the State registrar, and to all the provisions of this act. Any vacancy occurring in the office of local registrar of vital statistics shall be filled for the unexpired term by a local registrar appointed by the same official who appointed the local registrar whose retirement creates the vacancy. Any chairman of a board of county commissioners or mayor of a city or town who appoints a local registrar to fill a vacancy in the office of local registrar shall notify the State registrar, in writing, of the name and address of the local registrar so appointed. At least 10 days before the expiration of the term of office of any such local registrar, his successor shall be appointed by the chairman of the board of county commissioners for the township local registration office, and by the mayor of the city or town for the town or city registration office. That each local registrar shall be a bona fide resident of the township, city, or precinct for which they are appointed and that removal from said township, city, or precinct shall terminate said office.

Any local registrar who, in the judgment of the secretary of the State board of health, fails or neglects to discharge efficiently the duties of his office as laid down in this act, or who fails to make prompt and complete returns of all births and deaths, as required thereby, shall be forthwith removed from his office by the secretary of the State board of health and such other penalties may be imposed as are provided under section 22 of this act.

Each local registrar shall, immediately upon his acceptance of appointment as such, appoint a deputy, whose duty it shall be to act in his stead in case of absence, illness, or disability, and such deputy shall in writing accept such appointment and be subject to all rules and regulations governing local registrars. And when it may appear necessary for the convenience of the people in any rural district, the local registrar is hereby authorized, with the approval of the State registrar, to appoint one or more suitable persons to act as subregistrars, who shall be authorized to receive certificates and to issue burial or removal permits in and for such portions of the district as may be designated; and each subregistrar shall note on each certificate, over his signature, the date of filing, and shall forward all certificates to the local registrar of the district within 10 days, and in all cases before the third day of the following month: *Provided*, That each subregistrar shall be subject to the supervision and control of the State registrar, and may be by him removed for neglect or failure to perform his duties in accordance with the provisions of this act or the rules and regulations of the State registrar, and he shall be subject to the same penalties for neglect of duties as the local registrar.

SEC. 5. That the body of any person whose death occurs in this State, or which shall be found dead therein shall not be interred, deposited in a vault or tomb, cremated or otherwise disposed of, or removed from or into any registration district, or be temporarily held pending further disposition more than 72 hours after death, unless a permit for a burial, removal, or other disposition thereof shall have been properly issued by the local registrar of the registration district in which the death occurred or

the body was found. And no such burial or removal permit shall be issued by any registrar until a complete and satisfactory certificate of death has been filed with him as hereinafter provided: *Provided*, That when a dead body is transported into a registration district in North Carolina for burial, the transit and removal permit issued in accordance with the law and health regulations of the place where the death occurred shall be accepted by the local registrar of the district into which the body has been transported for burial or other disposition as a basis upon which he may issue a local burial permit. He shall note upon the face of the burial permit the fact that it was a body shipped in for interment, and give the actual place of death; and no local registrar shall receive any fee for the issuance of burial or removal permits under this act other than the compensation provided in section 20.

SEC. 13. That within 5 days after the date of each birth there shall be filed with the local registrar of the district in which the birth occurred a certificate of such birth, which certificate shall be upon the form adopted by the State board of health, with a view of procuring a full and accurate report with respect to each item of information enumerated in section 14 of this act. In each case where a physician, midwife, or person acting as midwife was in attendance upon the birth, it shall be the duty of such physician, midwife, or person acting as midwife to file in accordance herewith the certificate herein contemplated. In each case where there was no physician, midwife, or person acting as midwife in attendance upon the birth, it shall be the duty of the father or mother of the child, the householder or owner of the premises where the birth occurred, or the manager or superintendent of the public or private institution where the birth occurred, each in the order named, within five days after the date of such birth, to report to the local registrar the fact of such birth. In such case, and in case the physician, midwife, or person acting as midwife in attendance upon the birth is unable, by diligent inquiry, to obtain any item or items of information contemplated in the section 14 of this act, it shall then be the duty of the local registrar to secure from the person so reporting, or from any other person having the required knowledge, such information as will enable him to prepare the certificate of birth herein contemplated, and it shall be the duty of the person reporting the birth, or who may be interrogated in relation thereto, to answer correctly and to the best of his knowledge all questions put to him by the local registrar which may be calculated to elicit any information needed to make a complete record of the birth as contemplated by said section 14, and it shall be the duty of the informant, as to any statement made in accordance herewith, to verify such statement by his signature, when requested so to do by the local registrar.

SEC. 18. That each local registrar shall supply blank forms of certificates to such persons as require them. Each local registrar shall carefully examine each certificate of birth or death when presented for record in order to ascertain whether or not it has been made out in accordance with the provisions of this act and the instructions of the State registrar; and if any certificate of death is incomplete or unsatisfactory, it shall be his duty to call attention to the defects in the return, and to withhold the burial or removal permit until such defects are corrected. All certificates, either of birth or of death, shall be written legibly, in durable black ink, and no certificate shall be held to be complete and correct that does not supply all of the items of information called for therein, or satisfactorily account for their omission. If the certificate of death is properly executed and complete, he shall then issue a burial or removal permit to the undertaker: *Provided*, That in case the death occurred from some disease which is held by the State board of health to be infectious, contagious, or communicable and dangerous to the public health, no permit for the removal or other disposition of the body shall be issued by the registrar, except under such conditions as may be prescribed by the State board of health. If a certificate of birth is incomplete the local registrar shall immediately notify the informant, and require him to supply the missing items of information if they can be obtained. He shall

number consecutively the certificates of birth and death, in two separate series, beginning with number one for the first birth and the first death in each calendar year, and sign his name as registrar in attest of the date of filing in his office. He shall also make a complete and accurate copy of each birth and each death certificate registered by him in a record book supplied by the State registrar, which record book the local registrar shall deposit with the register of deeds of the county not later than the 15th of January each year. And the register of deeds shall make and keep an index, the form of which shall be devised and supplied him by the State registrar, of the births and deaths that have occurred in the county, and these records shall be open at all times to official inspection. And he shall, on the 5th day of each month, transmit to the State registrar all original certificates registered by him for the preceding month. And if no births or no deaths occurred in any month the local registrar shall on the 5th day of the following month, report that fact to the State registrar, on a card provided for such purpose.

SEC. 19. That each local registrar shall be paid the sum of 25 cents for each birth certificate and each death certificate properly and completely made out and registered with him, correctly recorded and promptly returned by him to the State registrar, as required by this act. And in case no births or deaths were registered during any month the local registrar shall be entitled to be paid the sum of 25 cents for each report to that effect, but only if such report be made promptly, as required by this act. All amounts payable to a local registrar under the provisions of this section shall be paid by the treasurer of the county in which the registration district is located, upon certification of the State registrar. And the State registrar shall certify every six months to the treasurers of the several counties the number of births and deaths properly registered, with the names of the local registrars and the amounts due each at the rates fixed herein: *Provided*, That the chairman of the board of county commissioners of the several counties may have the right to make such agreements with the several local registrars and subregistrars as may be agreed upon between said chairman and the local registrars or subregistrars as to the compensation to be paid local registrars or subregistrars.

**Advertisements—Untrue, Deceptive, or Misleading, Prohibited. (Chap. 218, Act Mar. 9, 1915.)**

SECTION 1. It shall be unlawful for any person, firm, corporation, or association, with intent to sell or in anywise to dispose of merchandise, securities, service, or anything offered by such person, firm, corporation, or association, directly or indirectly, to the public for sale or distribution, or with intent to increase the consumption thereof, or to induce the public in any manner to enter into any obligation relating thereto, or to acquire title thereto, or an interest therein, to make public, disseminate, circulate, or place before the public or cause directly or indirectly to be made, published, disseminated, circulated, or placed before the public in this State, in a newspaper or other publication, or in the form of a book, notice, handbill, poster, bill circular, pamphlet or letter, or any other way, an advertisement of any sort regarding merchandise, securities, service, or anything so offered to the public, which advertisement contains any assertion, representation, or statement of fact which is untrue, deceptive, or misleading: *Provided*, Said advertisement shall be done willfully and with intent to mislead.

SEC. 2. Any person who shall violate the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding \$50 or imprisoned not exceeding 30 days.

## NORTH DAKOTA.

### State Tuberculosis Sanatorium—Cost of Maintenance of Patients—How Paid. (Chap. 264, Act Mar. 11, 1915.)

SECTION 1. *Amendment.*—That section 2588 of the compiled laws for the year 1913 is hereby amended to read as follows:

SEC. 2588. *Cost of maintenance of patients; how paid.*—All patients admitted as patients to the sanitarium shall pay to said institution the cost of their maintenance. The charges for any patient or patients may, however, be paid by any person or persons or society. The determination of each sum shall be made by the superintendent with the approval of the board of control. Any person who is unable to pay the charges for his or her support may be admitted to the sanitarium if it has been determined by the examining physician that such person is suffering from pulmonary tuberculosis: *Provided, however,* That before such person shall be admitted to the sanitarium, he or she shall have a statement from the judge of the county court of the county within which he or she resides setting forth the fact that he or she is unable to pay the regular charges. Said judge, upon the presentation of the report of the duly authorized examining physician that such person is afflicted with pulmonary tuberculosis, shall make an investigation and if he finds that such applicant or his legal representatives are actually unable to pay such charges, shall approve in writing the application of such person.

Said judge shall immediately forward to the superintendent of the sanitarium a certificate in writing that such patient is unable to pay such charges and that he or she is a resident of the county in which such application has been so approved, the county from which such patient has been so certified shall be charged with the maintenance of such patient at the rate of \$7 per week during the time that he or she remains in said institution as an inmate. Such charge shall be collected in the manner provided in sections 2568 to 2579, inclusive, of the compiled laws of North Dakota for 1913: *Provided, however,* The admission of every patient shall be subject to the final approval of the superintendent and the board of control. And any person who may be unable to pay the full charge for maintenance may be received upon paying the amount charged for county patients, if the board of control shall first find that the patient has truly represented the circumstances and is really unable to pay more than the amount charged for county patients.

SEC. 2. The North Dakota State Tuberculosis Sanitarium shall hereafter be known as the North Dakota State Tuberculosis Sanatorium.

### Schools—Medical Examination of Pupils. (Chap. 133, Act Feb. 12, 1915.)

1. That section 1346 of the Compiled Laws of 1913 be amended to read as follows: "1346. The board of any school corporation in this State may, and whenever petitioned by a majority of the persons having children attending the schools of the district shall, employ one or more physicians as medical inspectors of schools. It shall be the duty of the medical inspector to examine, at least once annually, all children enrolled in the public schools of the district, except those who present a certificate of health from a licensed physician, and to make out suitable records for each child, one copy of which shall be filed with the county or city superintendent of schools. Notice of physical defects of abnormal or diseased children shall be sent to the parents, with

recommendations for the parents' guidance in conserving the child's health. The medical inspector shall cooperate with State, county, and township boards of health in dealing with contagious and infectious diseases and to secure medical treatment for indigent children. It shall be the duty of the county and city superintendents of schools to cooperate with school boards in promoting medical inspection. He may arrange schools by groups, especially in the rural districts, for the purpose of inspection, and shall advise school boards with a view to securing the most efficient and economical administration of this law. The school board or board of education shall furnish all blanks and other needed supplies for this purpose."

**County Boards of Health—Organization. County Health Officer—Appointment and Removal. (Chap. 198, Act Jan. 28, 1915.)**

1. That section 404 of the Compiled Laws of North Dakota for 1913 is hereby amended to read as follows:

"404. There is hereby established county boards of health, composed of a president, vice president, and superintendent; the State's attorney in each county shall be president of the county board; the county superintendent of schools shall be vice president, and the board of county commissioners shall at the first meeting of the board each year appoint a superintendent of public health for the county, who shall be learned in medicine and hold a license to practice medicine and surgery within the State, and the several persons appointed shall hold their offices for one year and until their successors are elected and qualified.

"*Provided, however,* That whenever the State board of health has reason to believe that the county superintendent of public health is failing to perform his duties as prescribed by law they may report the case to the board of county commissioners, and the latter may, after proper hearing, at their next meeting declare the office vacant, and appoint another physician in his place for the remainder of the unexpired term."

**Poisonous and Habit-Forming Drugs—Articles Containing, to be Labeled—Sale and Dispensing of Cocaine and Heroin. (Chap. 154, Act Mar. 1, 1915.)**

*Amendment.*—That sections 2942 and 2943, compiled laws of North Dakota for the year 1913 be, and the same are hereby, amended to read as follows:

SEC. 2942. *Drugs and medicines to be labeled.*—Every proprietary product, drug, medicine, or beverage containing any alcohol, morphine, opium, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, acetanilid, croton oil, cotton root, ergot, oil of tansy, or oil of savin, or any derivative, salt, or preparation of any such substance contained therein, shall be labeled in plain, open Gothic letters printed on a white background by themselves and immediately following the name of the product showing the name, the proportion or percentage of each of the foregoing constituents, and the said facts shall be set forth on the face or principal label, also upon the carton or container.

SEC. 2943. *Cocaine and heroin; how sold.*—No product or preparation shall be sold, offered for sale, or given away which contains cocaine or any of its salts or derivatives, and no delivery of cocaine or of its salts shall be made in this State except upon the written prescription of a duly licensed North Dakota physician, dentist, or veterinarian, and the said prescription shall not be refilled. That no product or preparation shall be manufactured, sold, or offered for sale, or given away containing any heroin, and that no person shall be permitted to have in his or her possession any preparation which contains heroin or any of its salts or derivatives, and no delivery of heroin or of any of its salts or derivatives shall be made in this State except on the written prescription or order of a physician duly licensed to practice in North Dakota, and said prescription or order shall not be refilled. It shall be unlawful for any duly registered physician or licensed dentist to write, issue, deliver, or dictate, either directly or indirectly, any prescription containing heroin for any habitual user, and it

shall be unlawful for any licensed veterinarian or dentist to write, issue, deliver, or dictate, either directly or indirectly, any prescription for a human being of any preparation containing heroin. Any person violating any of the provisions of this section shall, upon conviction, be punished by a fine of not to exceed \$1,000, nor less than \$100, or by imprisonment in the State penitentiary not more than one year, or in the county jail not more than six months, or by both such fine and imprisonment, and if such person be a licensed physician, dentist, veterinarian, or druggist, his license may be declared forfeited.

**Hotels, Restaurants, and Lodging Houses—Sanitary Regulation. (Chap. 170, Act Feb. 27, 1915.)**

1. That section 2984 of the Compiled Laws of 1913 be amended to read as follows:

"2984. Every hotel shall be well drained, constructed and plumbed according to established sanitary principles; shall be kept clean and in a sanitary condition, and free from effluvia arising from any sewer, drain, privy, or other source within control of the owner, manager, agent, or other person in charge; shall be provided with water-closets or privies properly screened, for the separate use of males and females, which water-closets or privies shall be disinfected as often as may be necessary to keep them at all times in a sanitary condition.

"All bedrooms shall be kept free from vermin, and the bedding in use shall be clean and sufficient in quantity and quality; all sheets shall be at least 8 feet in length; each guest shall be furnished with two towels; in case bedrooms are carpeted the carpet or carpets thereon shall be taken up and thoroughly cleaned at least once each year; no rusted tin or iron vessel or utensil shall be used in cooking food, and all food-stuffs shall be kept in a clean and suitable place, free from dampness and contact with dirty water; the floors, closets, cupboards, and walls of all kitchens shall at all times be kept free from dirt and no dust or grease shall be allowed to collect thereon; a metal container shall be provided to hold ashes where such ashes are stored in or around the hotel building. In all cases where a patient having an infectious or contagious disease has been confined in a hotel room such room shall upon the removal of such patient be closed and fumigated, and upon the completion of such fumigation the certificate of a reputable physician to that fact shall be forwarded to the hotel inspector. In all hotels or lodging houses where 50 cents or more per night is charged for lodging, the sheets and pillow cases shall be changed after the departure of each guest, and within three months after the taking effect of this article it shall be unlawful to have upon a bed of any such hotel or lodging house any mattress of a lower grade than that commonly known to the trade as cotton felt combination; each mattress shall weigh at least 35 pounds unless it be a hair mattress, in which case it shall weigh 30 pounds or more. Each hotel, rooming house or restaurant where 50 cents or more per meal is charged shall keep in its main public washroom individual towels or paper towels in full view and reach of all guests at all hours. Each room shall be properly ventilated by at least one window, and by a doorway leading into the hall. Every hotel and restaurant where rooms are rented to lodgers by the day, by the week, or by the month shall, during the winter months, be equipped with storm windows on hinges in such a way that the storm windows may be opened and closed at will; in lieu of such hinged storm windows the said places may be equipped with windows having slides therein that open and close over an opening of not less than 10 by 10 inches. During the summer months all such hotels, restaurants, and rooming houses shall equip their windows with screens adequate to keep out flies and mosquitoes."

## OHIO.

### Ophthalmia Neonatorum—Notification of Cases—Prevention of. (Act May 25, 1915.)

SECTION 1. Any inflammation, swelling, or redness in either one or both eyes of any infant, either apart from or together with any unnatural discharge from the eye or eyes of such infant, independent of the nature of the infection, if any, occurring any time within two weeks after the birth of such infant, shall be known as "inflammation of the eyes of the new born."

SEC. 2. It shall be the duty of any physician, surgeon, obstetrician, midwife, nurse, maternity home or hospital of any nature, parent, relative, and any persons attendant on or assisting in any way whatsoever any infant or the mother of any infant at childbirth or any time within two weeks after childbirth, knowing the condition hereinabove defined to exist, within six hours thereafter to report such fact, as the State board of health shall direct, to the local health officer of the city, town, village, or whatever other political division there may be within which the infant or the mother of any such infant may reside. For such services the attending physician, surgeon, obstetrician, midwife, nurse, maternity home or hospital shall receive from the State treasurer a fee of 50 cents.

SEC. 3. It shall be the duty of the local health officer:

1. To investigate or to have investigated each case as filed with him in pursuance with the law, and any other such case as may come to his attention.
2. To report all cases of inflammation of the eyes of the new born and the result of all such investigation as the State board of health shall direct.
3. To conform to such other rules and regulations as the State board of health shall promulgate for his further guidance.

SEC. 4. It shall be the duty of the State board of health:

1. To enforce the provisions of this act.
2. To promulgate such rules and regulations as shall, under this act, be necessary for the purpose of this act, and such as the State board of health may deem necessary for the further and proper guidance of local health officers.
3. To provide for the gratuitous distribution of a scientific prophylactic for inflammation of the eyes of the new born, together with proper directions for the use and administration thereof, to all physicians and midwives as may be engaged in the practice of obstetrics or assisting at childbirth.
4. To provide, if necessary, daily inspection and prompt and gratuitous treatment to any infant whose eyes are infected with inflammation of the eyes: *Provided further*, That the State board of health, if necessary, shall defray the expense of such treatment from such sum as may be appropriated for its use.
5. To publish and promulgate such further advice and information concerning the dangers of inflammation of the eyes of the new born, and the necessity for prompt and effective treatment.
6. To furnish copies of this law to all physicians and midwives as may be engaged in the practice of obstetrics or assisting at childbirth.
7. To keep a proper record of any and all cases of inflammation of the eyes of the new born as shall be filed in the office of the State board of health, in pursuance with this law and as may come to their attention in any way, and to constitute such records a part of the annual report to the governor and the legislature.

8. To report any and all violations of this act as may come to its attention to the State board of medical registration and examination and also to the local police or county prosecutor in the county wherein said misdemeanor may have been committed, and to assist said official in every way possible, such as by securing necessary evidence.

SEC. 5. It shall be the duty of the physicians, midwives, or other persons in attendance upon a case of childbirth in a maternity home, hospital, public or charitable institution, in every infant immediately after birth, to use some prophylactic against inflammation of the eyes of the new born and to make record of the prophylactic used. It shall also be the duty of such institution to maintain such records of cases of inflammation of the eyes of the new born as the State board of health shall direct.

SEC. 6. It shall be the duty of a midwife in every case of childbirth under her care, immediately after birth, to use such prophylactic against inflammation of the eyes of the new born as the State board of health requires. Whoever being a physician, surgeon, midwife, obstetrician, nurse, manager or person in charge of a maternity home or hospital, parent, relative or person attendant upon or assisting at the birth of any infant violates any of the provisions of this act, shall be deemed guilty of a misdemeanor and upon conviction thereof be fined in a sum not less than \$50 nor more than \$100 and for each second or subsequent offense shall be fined not less than \$100 nor more than \$300. It shall be the duty of the prosecuting attorney to prosecute all violations of this act.

SEC. 8. The sum of \$5,000 shall be annually appropriated for the use of the State board of health in enforcing and carrying out the provisions of this act. Any and all necessary and legitimate expenses that may be incurred in prosecuting a case under this act, shall, on proper showing, be met by the State board of health out of this appropriation. In addition thereto, all fines and penalties recovered hereunder shall be paid into the State Treasury and shall constitute a special fund for the use and purposes of the State board of health as herein enacted.

#### Ophthalmia Neonatorum—Prevention of. (Reg. Bd. of H., Aug. 12, 1915.)

1. Every physician, surgeon, obstetrician, midwife, nurse, maternity home or hospital required to report to the local health officer the condition defined as inflammation of the eyes of the new born, in an act entitled "An act for the prevention of blindness from inflammation of the eyes of the new born, designating certain powers and duties and otherwise providing for the enforcement of this act," passed May 19, 1915, shall make such report in writing. Said written report shall give the name and address of the reporting physician, surgeon, obstetrician, midwife, nurse, maternity home or hospital, the name, sex, age in days, and address of the infant afflicted with inflammation of the eyes of the new born, together with the name of the mother of such infant, provided that in the case of any unnamed infant so afflicted the designation "unnamed" shall be written in lieu of a given name.

2. If, in the opinion of the reporting physician, surgeon, obstetrician, midwife, nurse, maternity home, or hospital, the conditions of the case so require, in addition to the written report, an immediate notice of such case shall be given to the health officer in the most rapid manner available.

3. Upon receipt of a written report of a case of inflammation of the eyes of the new born the local health officer shall immediately write on the report the date and hour of the receipt of the report, together with his own signature, and shall make a permanent record of the case for the use of the local health department. The original written report shall be thereafter forwarded at once by mail to the State department of health.

4. Parents, relatives, and other persons required to report a case of inflammation of the eyes of the new born shall make such report to the health officer in the most rapid manner available. Each case so reported to the health officer, and any other case coming to his attention otherwise than by the written reports as provided above,



shall be reported in writing to the State department of health by the health officer. Such report from the health officer shall give the name and address of the person who first notified the health officer of the case, or a statement as to the health officer's source of information concerning the case, together with the name, sex, age in days, and address of the infant afflicted with inflammation of the eyes of the new born and the name of the mother of such infant, provided that in the case of any unnamed infant so afflicted the designation "unnamed" shall be written in lieu of a given name.

5. The local health officer shall forward by mail to the State department of health on blanks provided for the purpose a report of the investigation and history of each and every case of inflammation of the eyes of the newborn reported to him or coming to his attention, said report to be submitted as soon as practicable.

6. Between the 1st and 6th of each month the secretary and executive officer of the State board of health shall certify to the treasurer of State the name and address of every physician, surgeon, obstetrician, midwife, nurse, maternity home or hospital from whom one or more, the number to be specified, written reports of cases of inflammation of the eyes of the newborn, submitted in full compliance with statute and rules and regulations of the State board of health, have been received by the State department of health during the preceding month.

[These regulations were effective Aug. 20, 1915.]

**Ophthalmia Neonatorum—Violations of Law or Regulations to be Prosecuted.**  
(Res. Bd. of H., Nov. 10, 1915.)

Whereas the act for the prevention of blindness from inflammation of the eyes of the newborn (G. C. 1248-1 et seq., 106 O. L., 321) makes it the duty of the State board of health "to report any and all violations of this act as may come to its attention, to the State board of medical registration and examination and also to the local police or county prosecutor in the county wherein said misdemeanor may have been committed, and to assist said official in every way possible, such as by securing necessary evidence:" Be it

*Resolved*, That the secretary and executive officer be, and is hereby, authorized to act for the State board of health in making such reports as are above required and to give such assistance and secure and present such evidence as may be necessary to aid in securing the conviction of any person who violates any provision of the act above referred to, or any provision of the rules and regulations adopted by the State board of health under authority granted in said act.

**Diphtheria Antitoxin—Free Distribution for Use for Indigent Persons. (Act**  
**Mar. 6, 1915.)**

SECTION 1. The State board of health shall make necessary arrangements for the production and distribution of diphtheria antitoxin, provided that such antitoxin shall in all respects be equal in purity and potency to the standard of requirements of the United States Public Health Service for antitoxin for interstate commerce. Diphtheria antitoxin shall be distributed in accordance with such rules and regulations as may be adopted by the State board of health.

SEC. 2. Any licensed physician practicing in the State of Ohio, or the superintendent of any State or county institution, shall be entitled to receive without charge such quantities of antitoxin as he may require for the treatment or prevention of diphtheria in poor or indigent persons, provided that such antitoxin shall be used only for persons residing in the State of Ohio, and that a sufficient supply is available for distribution.

SEC. 3. Any person or persons who shall sell any diphtheria antitoxin produced and distributed by the State board of health shall be guilty of a misdemeanor and upon conviction shall be fined in any amount not exceeding \$100.

**Tuberculosis—County and District Hospitals—Regulation of.** (Reg. Bd. of H., Aug. 12, 1915.)

1. The county commissioners or board of trustees of each and every county or district tuberculosis hospital in Ohio shall file an annual report with the State board of health as provided in section 3153 of the General Code of Ohio and shall make such other reports as may be required from time to time by the State board of health.

2. An annual inspection and such other inspections as may be ordered of each and every county and district tuberculosis hospital in Ohio shall be made by the State board of health through its duly authorized representatives.

3. A certificate of approval signed by the secretary and executive officer and stamped with the official seal of the State board of health shall be issued annually to each and every county or district tuberculosis hospital in Ohio when it has complied fully with the laws governing such hospitals, the rules and regulations of the State board of health, and when the annual inspection indicates that such hospital is being conducted in proper manner.

4. The medical superintendent or other responsible officer of each and every county or district tuberculosis hospital in Ohio shall adopt a set of rules and regulations for the internal management of his institution. Such rules and regulations shall not become effective until a copy of said rules and regulations has been filed with and received the approval of the State board of health.

5. Any new district or addition to a district shall be approved by the State board of health as provided in section 3148 of the General Code of Ohio and a formal application for such approval must be made to the State board of health.

6. The State board of health shall be notified within 24 hours of every application for admittance of a patient received by the medical superintendent or other responsible officer of each county or district tuberculosis hospital.

7. The State board of health shall be notified within 24 hours of every death, immediate discharge for cause, or voluntary leaving of patient who has been admitted to each and every county or district tuberculosis hospital.

8. The State board of health shall be notified at least two weeks in advance of each and every contemplated discharge of a patient by the medical superintendent or other responsible officer of each and every county or district tuberculosis hospital.

9. Each and every county or district tuberculosis hospital in Ohio shall employ not less than two graduate nurses—one on day duty and one on night duty—who shall give their time to the professional care of patients within such hospital.

10. All reports, annual or otherwise, applications for approval, and notifications required by these rules and regulations shall be made on blank forms furnished by the State board of health.

**Tuberculosis—District Hospitals—Apportionment of Expenses Between Counties.** (Act June 3, 1915.)

**SECTION 1.** That section 3152-1 of the General Code be supplemented by the enactment of an additional section to be known as section 3152-2 relating to joint hospitals for tuberculosis patients.

**SEC. 3152-2.** Whenever after any district tuberculosis hospital has been established and operated for a continuous period of five or more years, a new site, a new hospital building or buildings, betterments and additions to an existing building or buildings, or new equipment become necessary, any county in the district may complain by proper petition to the court of common pleas of the county in which said district tuberculosis hospital is located, stating that it is unjust and inequitable that such complaining county should pay for the said expense incurred or to be incurred in proportion to its taxable property, as provided by section 3152 of the General Code. In such petition

the complaining county shall be plaintiff and all other counties of said district shall be defendants, and each shall be required to answer said petition within the ordinary answer day required in civil actions. Upon answer or in default thereof the matter shall come on for hearing before said court of common pleas, and upon full hearing said court of common pleas may make such order of apportionment of said expense between the counties as may be just, proper, and equitable, and thereupon such order shall be binding as between the counties, and in lieu of the apportionment prescribed by said section 3152 of the General Code.

**State Board of Health—Appropriations for Fiscal Year Ending June 30, 1917. (Act June 5, 1915.)**

\* \* \* \* \*

**BOARD OF HEALTH.**

**Personal service:**

**A 1. Salaries—**

Secretary and executive officer.....	\$3,500
Assistant secretary.....	3,000
Record clerk.....	1,200
Financial clerk.....	1,500
17 clerks and stenographers.....	14,340
Bacteriologist.....	3,000
Assistant bacteriologist.....	2,000
Assistant bacteriologist and chemist.....	2,000
2 laboratory assistants.....	2,800
3 laboratory helpers.....	1,680
Director division sanitary engineering.....	3,000
5 assistant engineers.....	7,060
Director division communicable diseases.....	2,750
Assistant epidemiologist.....	1,700
State inspector plumbing.....	1,800
2 deputy inspectors plumbing.....	2,850
Chief division of tuberculosis.....	3,000
Superintendent publications and organizer.....	1,700
Exhibit director.....	1,500
State supervising nurse.....	1,600
Visiting nurse.....	1,400
Public health nurse.....	1,300
Statistician.....	1,600
Chief division occupational diseases.....	3,000
Assistant division occupational diseases.....	1,600
2 janitors.....	1,320
Director division child hygiene.....	2,400
2 hostlers antitoxin stables.....	960
2 antitoxin chemists.....	1,920
Chemist analysis work.....	4,000
<b>Total.....</b>	<b>81,480</b>

**A 2. Wages—**

Per diem of board members.....	840
5 inspectors division communicable diseases.....	900
<b>Total.....</b>	<b>1,740</b>

**A 3. Unclassified—**

Referee fees.....	1,000
<b>Total personal service.....</b>	<b>84,220</b>

**Maintenance:**

**C. Supplies—**

C 2. Forage and veterinary.....	1,500
C 4. Office.....	3,800
C 5. Medical and surgical.....	1,500
C 7. Refrigerating.....	300
C 11. General plant.....	2,000
<b>Total.....</b>	<b>9,100</b>

**Maintenance—Continued.****E. Equipment—**

E 1. Office.....	\$250
E 3. Medical and surgical.....	3,450
E 4. Livestock.....	600
E 8. Educational and recreational.....	1,200
E 9. General plant.....	3,000
<b>Total.....</b>	<b>8,500</b>

**F. Contract and open-order service—**

F 1. General repairs.....	250
F 4. Light, heat, and power.....	1,000
F 6. Transportation, express, and freight.....	1,500
Traveling expense.....	12,000
F 7. Communication.....	1,000
F 9. General plant.....	3,200
For prevention of blindness among infants as per H. B. No. 470, approved May 27, 1915.	5,000
<b>Total.....</b>	<b>23,950</b>
<b>Total maintenance.....</b>	<b>41,550</b>
<b>Total appropriation.....</b>	<b>125,770</b>

\* \* \* \* \*

**Secretary of State Board of Health—Salary of. (Act Feb. 16, 1915.)**

SECTION 1. That section 2250 of the General Code be amended to read as follows:

SEC. 2250. The annual salaries of the appointive State officers and employees herein enumerated shall be as follows:

\* \* \* \* \*

Secretary of State board of health, \$3,500.

SEC. 2. That said original section 2250 of the General Code be, and the same is hereby, repealed

**State Registrar of Vital Statistics—Appointment of. (Act May 25, 1915.)**

SECTION 1. That section 199 of the General Code be amended to read as follows:

"SEC. 199. The secretary of State shall appoint a State registrar of vital statistics who shall be a registered physician and a competent vital statistician, and who shall serve for a term of four years commencing on the 1st day of January after his appointment. He shall give a bond in the sum of \$10,000 satisfactory to the secretary of State. A vacancy in such office shall be filled by appointment by the secretary of State. Such State registrar shall have the immediate direction of the central bureau of vital statistics, and shall not be subject to any civil-service law or regulations."

SEC. 2. That said original section 199 of the General Code be, and the same is hereby, repealed.

**Ice-Cream Parlors and Soda Fountains—Sanitary Regulation—Sterilization of Utensils—Employees. (Reg. Bd. of H., Sept. 23, 1915.)**

RULE 1. In order that the sale of ice cream, sodas, and soda-fountain sundries may be conducted under sanitary conditions the operators of ice-cream parlors and soda fountains are hereby instructed that all such goods shall be dispensed only in sterile containers. To this end it is ordered that all soda fountains and ice-cream parlors be provided with facilities for the sterilization of dippers, glasses, spoons, serving dishes, and any other vessel or utensil coming in contact with ice cream, sodas, or soda-fountain sundries.

RULE 2. Facilities for the sterilization of dippers, glasses, spoons, serving dishes, and any other vessel or utensil coming in contact with ice cream, sodas, or soda-fountain sundries shall include:

(1) An adequate supply of hot and cold water of a quality suitable for drinking purposes.

(2) Suitable arrangements for supplying boiling water or live steam.

(3) An adequate supply of clean towels for drying glasses, dishes, etc.

(4) Suitable provision for taking care of sterile glasses, dishes, etc., so as to keep same clean until wanted for use.

RULE 3. All dishes and utensils, after each individual service, shall be washed by (a) rinsing in cold water, (b) then thorough washing in hot water with soap or suitable cleansing powder, (c) then exposing to live steam or boiling water for a period of three to five minutes, (d) then rinsing in clean cold water and draining or wiping dry with a clean towel.

In lieu of the above requirements or where it is found impossible or inexpedient to use live steam or boiling water, paper cups or paper tumblers with individual spoons will be allowed for individual use only.

RULE 4. Refrigerators at soda fountains shall be kept clean by washing with hot water and soap or washing powder.

RULE 5. Employees in ice-cream parlors and at soda fountains shall be cleanly in person and dress, free from infectious and contagious disease, and trained in the conduct of their work.

RULE 6. The use of straws is forbidden except when such straws are protected from dust, dirt, and handling by employees and others.

RULE 7. As soon as empty, all ice-cream containers, milk and cream cans shall be thoroughly rinsed with cold water and covered so that no foreign matter may enter said containers or cans.

RULE 8. The foregoing rules and regulations shall take effect and be in force on and after January 1, 1916.

**Marriage—Venereal Diseases—Physicians Allowed to Disclose Facts to Interested Persons—Advertising by Physicians—Revocation of License. (Act Apr. 26, 1915.)**

SECTION 1. That section 1275 \* \* \* of the General Code be amended \* \* \* [to read] as follows:

"SEC. 1275. The State medical board may refuse to grant a certificate to a person guilty of \* \* \* grossly unprofessional or dishonest conduct \* \* \*. The words 'grossly unprofessional or dishonest conduct' as used in this section are hereby declared to mean:

\* \* \* \* \*

"Second. The willful betrayal of a professional secret. But a physician, knowing that one of the parties to a contemplated marriage has a venereal disease, and so informing the other party to such contemplated marriage, or the parent, brother, or guardian of such other party, shall not be held to answer for betrayal of a professional secret, nor shall such physician be liable in damages for truthfully giving such information to such other party, or the parent, brother, or guardian of such other party.

"Third. All advertising of medical practice in which extravagantly worded statements intended, or having a tendency, to deceive and defraud the public are made, or where specific mention is made in such advertisements of tuberculosis, consumption, cancer, Bright's disease, kidney disease, diabetes, or of venereal diseases or diseases of the genito-urinary organs.

\* \* \* \* \*

"Upon notice and hearing, the board, by a vote of not less than five members, may revoke or suspend a certificate for like cause or causes."

**State Parks Made Sanitary Districts—Control by State Board of Health. (Act May 25, 1915.)**

SECTION 1. The following rules are hereby adopted for the guidance of the superintendent of public works and of the police patrolmen appointed by said superintendent, in the discharge of their official duties:

\* \* \* \* \*

**SANITATION RULES.**

RULE 89. The territory included within any State park or pleasure resort and surrounding lands extending back one-fourth of a mile therefrom is hereby designated a special sanitary district, to be under the control and management of the State board of health for sanitary purposes.

RULE 90. The State board of health shall have power to make and enforce rules and regulations relating to the location, construction, and repair of stockyards, hog pens, stables, privies, cesspools, sinks, plumbing, drains, and all other places where offensive substances or liquids may accumulate within such sanitary district, and said board of health shall have power to abate all such nuisances, and may remove or correct all unsanitary conditions detrimental to the health and well-being of the community included in such sanitary district, and may, when necessary, certify the costs and expenses thereof to the county auditor, to be assessed against the property of the offending party, and thereby made a lien upon it and collected as other taxes.

RULE 91. When any specific order of the State board of health is neglected or disregarded by parties, after due notice, said board may cause the arrest and prosecution of all persons so offending in accordance with the terms of this act. Notice by the State board of health to abate or correct a nuisance shall be served upon parties offending in accordance with the terms of section 4422 of the General Code.

RULE 92. No sewer, drain, or other connection with closets, cesspools, sinks, privies, or other places where offensive or unsanitary matter accumulates shall be drained or discharged into any State reservoir, and no garbage, offal, or filth of any kind shall be thrown or discharged, in any manner, into any such reservoir or immediate tributary thereto, and this rule shall apply to all house boats and buildings erected over the waters of any State reservoir.

SEC. 2. Any person convicted of violation of any of the foregoing rules shall be fined not less than \$10, nor more than \$100.

SEC. 3. That said original section 479 of the General Code be, and the same is hereby, repealed.

## OKLAHOMA.

### State Department of Health—Officers, Inspectors, and Clerks—Salaries. (Chap. 79, Act Mar. 5, 1915.)

SECTION 1. *Assistants; salaries.*—The commissioner of health of the State is hereby authorized and empowered for the purpose of providing the necessary help and assistants in the discharge of his duties as such commissioner to employ the following persons, and their salaries shall be as hereinafter set out, to-wit: One assistant commissioner of health, \$1,800; one chief clerk, \$1,500; one assistant register of vital statistics, \$1,200; one record clerk and stenographer, \$1,200; one stenographer, \$1,000; eight food, drug, and sanitary inspectors, each at a salary of \$1,200 per annum.

### State Commissioner of Health and Assistant Commissioner—Salaries, Powers, and Duties—Regulations. (Chap. 155, Act Mar. 15, 1915.)

SECTION 1. *Salary of commissioner; expenses.*—That section 6789, Revised Laws of Oklahoma 1910, be, and the same is hereby, amended to read as follows:

"SEC. 6789. That the State commissioner of health shall receive a salary of \$1,800 per annum to be paid monthly as other State officers are paid, and he shall be allowed for records, printing, and traveling expenses all sums actually and necessarily expended in the performance of his official duties. All other persons acting under his direction shall likewise be reimbursed for such actual expenses, all vouchers to be approved by the State commissioner of health."

\* \* \* \* \*

SEC. 3. That section 6947, Revised Laws of Oklahoma 1910, be, and the same is hereby, amended to read as follows:

"SEC. 6947. It shall be the duty of the State commissioner of health to carry into effect the provisions of this article, and all other laws relating to foods, drugs, and medicines; and said commissioner is hereby authorized and empowered to promulgate and enforce such rules and regulations not inconsistent with the provisions of this article, as he may deem proper and necessary, and to amend, alter, and abolish the same from time to time. The said commissioner shall make an annual report to the governor on or before the 1st day of November of each year, giving in a concise manner in said report a full statement of his work relative to the enforcement of this article, and accounting for all receipts and disbursements therein. Said commissioner shall be authorized and empowered to print such rules, regulations, and announcements from time to time, as he may deem necessary. The annual report of said commissioner relative to food, drugs, and medicine shall be printed, published, and distributed in the same manner as reports of the State commissioner."

\* \* \* \* \*

SEC. 5. *Assistant commissioner of health; duties; salary.*—The State commissioner of health is hereby authorized to appoint an assistant State commissioner of health, who shall have power to direct the affairs of the office in the absence of the commissioner, sign requisitions for supplies, approve expense and salary vouchers, and who shall perform any other duties of the office assigned him by the commissioner of health. Said assistant State commissioner of health shall take and subscribe the constitutional oath of office, and shall receive as full compensation \$1,800 per annum, payable monthly out of the salaries, traveling, and expense fund of the pure food and drug division.

**County Health Officers—Appointed by State Commissioner of Health—Duties.**  
(Chap. 154, Act Mar. 15, 1915.)

**SECTION 1. *Appointment and duties; term.***—That section 6791, of chapter 67, article 1, of the Revised Laws of Oklahoma, annotated, 1910, is hereby amended to read as follows:

"SEC. 6791. In every county in the State there shall be appointed by the State commissioner of health a county superintendent of public health, who shall be a regular practicing physician, of good standing and of good moral character, and a resident of the county for which he was appointed; and he shall hold his office for a term of two years, or until his successor is appointed and qualified, unless sooner removed by the commissioner of health. The two-year term shall run as follows: Beginning with the term of the governor, and then running two years, and then another two-years term, expiring with the term of the governor of the State; this being a legislative declaration as to the meaning of the original section. Said county superintendent of public health shall have power to abolish nuisances that are dangerous to public health, to isolate persons affected with dangerous and contagious diseases, and to do such other things, with the approval of the State board of health, as may be deemed necessary for the preservation of the public health within said county: *Provided*, That appointments of county superintendents of health shall be made from all the recognized schools of medicine, as near as may be, according to the relative per cent of practitioners of the various schools of the State."

**State Laboratories—Establishment—Work to be Done.** (Chap. 155, Act Mar. 15, 1915.)

**SEC. 2. *Laboratory for examination of public water supplies.***—That section 6790, Revised Laws of Oklahoma, 1910, be, and the same is hereby, amended to read as follows:

"SEC. 6790. The board of health shall establish and maintain a chemical and bacteriological laboratory for the examination of public water supplies. Such examination shall be made as often as deemed necessary by the State commissioner of health and shall cover the effluent of sewerage, purification work, and the diagnosis of diphtheria, typhoid fever, hydrophobia, and all contagious and infectious diseases, and such other diseases as they may deem necessary, and the examination of food suspected to be the cause of disease. The said chemical and bacteriological laboratory, as herein provided, shall be established and maintained at the office of the State commissioner of health. The said board of health shall have control and supervision, under such rules and regulations as it may adopt, over the work required to be performed by said laboratory under the provisions of this article."

\* \* \* \* \*

**SEC. 4. *State laboratory; chemists and assistants; examinations for adulterations.***—That section 6948, Revised Laws of Oklahoma, 1910, be, and the same is hereby, amended to read as follows:

"SEC. 6948. For the purpose of this article there is hereby established a State laboratory for the analysis of food, drugs, and medicines, which shall be under the supervision of the State commissioner of health. Said laboratory shall be established and located at the office of the State commissioner of health, who shall have power to employ such additional chemists and assistants as are necessary to properly and expediently [sic] examine and analyze such articles of food, drugs, and medicines as are sent to the said laboratory for the purpose of determining whether such articles are adulterated, mislabeled, or misbranded within the meaning of this article; and if it shall appear that any such specimens are adulterated, mislabeled, or misbranded within the meaning of this article, the State commissioner of health shall certify the facts to the county attorney in the county in which such sample was taken, with a copy of the results of the analysis, duly authenticated by the analyzer."

\* \* \* \* \*



**Foods and Drugs—Manufacturers and Importers Required to Register. (Chap. 157, Act Mar. 15, 1915.)**

**SECTION 1. *Registration and fee.***—All manufacturers of foods and drugs doing business in the State of Oklahoma, or all such persons as shall bring into and offer for sale within the State any article of food or drug, shall annually register their firm or corporate names and addresses with the State commissioner of health, and shall pay to the commissioner a fee of \$1 for such registration on or before the 1st day of July of each year. Such fees shall be turned over by the commissioner of health to the State treasurer: *Provided*, That all manufacturers of food and drugs resident in the State, and who have paid the merchant's license of \$1 per year, shall not be required under this act to pay the registration fee.

**SEC. 2. *Penalty for violation.***—Whoever shall do any of the acts or things prohibited, or willfully neglects or refuses to do any of the acts or things enjoined by this act, or in any way violates any of its provisions, shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than \$25 nor more than \$200.

**Milk and Creamery Utensils—Cleaning Required. (Chap. 257, Act Mar. 31, 1915.)**

**SECTION 1. *Users to cleanse containers.***—It shall be the duty of every person, firm, or corporation within this State, upon receiving from any creamery or dairy company, either by wholesale or retail, any creamery can, bucket, bottle, or any utensil used for conveyance of ice creams, sherbets, or frozen dainties, sweet milk, buttermilk, sweet cream and all products thereof, as soon as said creamery cans, buckets, bottles, or utensils are empty, to thoroughly cleanse same with hot water at a temperature of not less than 180° F. Such bottles shall be thoroughly drained and such cans, containers, and buckets shall be washed and thoroughly dried immediately upon emptying same.

**SEC. 2. *Penalty.***—Any person, firm, or corporation receiving such articles, and upon failure to comply with all provisions of this act, shall be deemed guilty of a misdemeanor, and, upon conviction, be fined not less than \$25 nor more than \$50 for each and every offense.

**SEC. 3. *How enforced.***—It shall be the duty of the county commissioner of health and the county dairy commissioner and all other peace officers to enforce this act.

**Hotels, Rooming Houses, and Places where Food and Drugs are Sold—License—Inspection—Regulation by State Commissioner of Health. (Chap. 158, Act Mar. 15, 1915.)**

**SECTION 1. *Inspection, hotels, food and drink dispensers; license.***—That from and after the passage of this act all hotels, lodging and rooming houses, drug stores, grocery stores, restaurants, drink fountains, confectioneries, fruit stores, bakeries, and meat markets of the State of Oklahoma shall be required to pay to the State commissioner of health a license fee as hereinafter specified in lieu of all inspection fees provided for under the existing laws. That upon the payment of said license fee an annual license shall be issued by the State commissioner of health, all licenses to be dated July 1 and run for a period of one year.

**SEC. 2. *Commissioner of health; time of inspection.***—That said State commissioner of health shall make or cause to be made a sanitary inspection one or more times each year and under said inspections to make such orders as are now authorized by law.

**SEC. 3. *Fee; hotels.***—The fee for license to conduct such hotels, lodging and rooming houses, shall be \$2 per annum, except hotels that contain 20 sleeping rooms, in which case the fee shall be \$3, and for every additional 10 rooms a fee of \$1 shall be charged, which shall be paid to the State commissioner of health before said license shall issue.

**SEC. 4. *Fee; sellers of drugs, food, drinks.***—The fee for license to conduct drug stores, grocery stores, restaurants, drink fountains, confectioneries, bakeries, fruit stores,

and meat markets shall be \$1 per annum, to be paid to the State commissioner of health as set out in section 3.

SEC. 5. *Fees, disposition; license posted.*—The State commissioner of health on the first day of each month shall pay into the State treasury all fees collected for licenses issued during the preceding month, and the persons, firms, associations, or corporations receiving such licenses shall keep the same posted in a conspicuous place in the premises so licensed.

SEC. 6. *Violation of license provisions; forfeiture of license; penalty.*—Whenever any person, firm, association, or corporation licensed under the provisions of this act shall fail to comply with the laws of the State of Oklahoma and the regulations of the State commissioner of health with reference to sanitation, and alter their methods of running their respective places of business as ordered by him, such license shall be forfeited, and in addition thereto, upon conviction, such person or persons having such business in charge shall be fined in a sum not less than \$25 or more than \$100 and shall not be allowed to reenter business until said order shall have been complied with and a new license provided as hereunder directed.

SEC. 7. *Insanitary place; county attorney to prosecute; health commissioner to report.*—It shall be the duty of the State commissioner of health to report to the county attorney of the county in which infractions of this law are found to exist, giving the name of the person or persons offending, the charge against him or them, and thereupon the county attorney shall take proper action under the criminal laws to prosecute the offender or civil action to abate the nuisance found to exist.

**Hotels, Rooming and Apartment Houses, and Restaurants—Licensing, Inspection, and Regulation by the State Board of Health. (Chap. 227, Act Apr. 7, 1915.)**

SECTION 1. *Hotel defined; license.*—That chapter 67, article 6, of the Revised Laws of Oklahoma, annotated, 1910, be amended to read as follows:

"That every building or other structure kept, used, maintained, advertised, or held out to the public to be a place where food is served and sleeping accommodations are offered for pay to transient guests, in which eight or more rooms are used for the accommodation for such transient guests, and having one or more dining rooms or cafés, where meals or lunches are served to such transient guests, such sleeping accommodations and dining rooms being conducted in the same building and under the same management, together with any buildings in connection therewith, shall, for the purposes of this act, be deemed a hotel; such only shall have the right to the use of the name 'hotel' in connection with their business, and upon the proper application the State board of health shall issue to such above-described business a license to conduct a hotel."

SEC. 2. *Rooming house defined; license.*—That every building or other structure kept, used, maintained, advertised, or held out to the public to be a place where sleeping accommodations are furnished for pay for transient or permanent guests, in which eight or more rooms are used for the accommodation of such guests, but which does not maintain dining rooms or cafés in the same building and under the same management, together with any buildings in connection therewith, shall, for the purposes of this act, be deemed a rooming house and shall not have the right to the use of the name "hotel" in connection with such business. Upon proper application, the State board of health shall issue to such described business a license to conduct a rooming house: *Provided*, That nothing in this act shall be construed to prevent the use of any name the proprietor of such rooming house may desire to apply to his business which name does not include the word "hotel."

SEC. 3. *Apartment house defined; license.*—That every building or other structure kept, used, maintained, advertised, or held out to the public to be a place where accommodations for sleeping rooms, either single or in suites for light housekeeping, or both, but where no dining room or café is maintained in the same building or under

the same management, and where two or more families or tenants aggregating 15 persons or more occupying said buildings, together with any buildings in connection therewith, shall, for the purposes of this act, be deemed to be an apartment house and shall not have the right to use the word "hotel" or "rooming house" in such business. Upon proper application, the State board of health shall issue to the above described business a license to conduct an apartment house: *Provided*, That nothing in this act shall be construed to prevent the use of any name the proprietor of a licensed apartment house may desire to apply to his business, which name does not include the words "hotel" or "rooming house."

SEC. 4. *Restaurant defined; license.*—That every building or other structure kept, used, maintained, advertised, or held out to the public to be a place where meals or lunches are served without sleeping accommodations, together with all outbuildings in connection therewith, shall, for the purpose of this act, be defined a restaurant, and, upon proper application to the State board of health, shall issue to such above described business a license to conduct a restaurant: *Provided*, That nothing in this act shall be construed to prevent the use of any name a proprietor of a licensed restaurant may desire to apply to his business, which name does not include the word "hotel," "rooming house," or "apartment house."

SEC. 5. *Term "proprietor."*—Whenever used in this act or any act amendatory thereof, the word "proprietor" of any hotel, rooming house, apartment house, or restaurant, it shall mean and include any owner, proprietor, lessee manager, receiver, agent, or other person in charge of such hotel, rooming house, apartment house, or restaurant, within the meaning of this act.

SEC. 6. *License required.*—That on or before July 1, 1915, and on or before July 1 of each year thereafter, every person, firm, or corporation now engaged in the business of conducting a hotel, or restaurant, or both, or a rooming house or apartment house, and every person, firm, or corporation who shall hereafter engage in conducting such business, shall procure a license for each hotel, rooming house, apartment house, or restaurant so conducted or proposed to be conducted: *Provided*, That one license shall be sufficient for each combined hotel and restaurant, where both are conducted in the same building and under the same managements. Each license shall expire on the 30th day of June next following its issuance.

No hotel, rooming house, apartment house, or restaurant shall be maintained or conducted in this State after July 1, 1915, without a license therefor. No license shall be transferable except application be made therefor in writing to the State board of health.

SEC. 7. *Application blanks.*—The State board of health shall, upon request therefor, furnish to any person, firm, or corporation desiring to conduct a hotel, rooming house, apartment house, or restaurant, the necessary application blanks for a license which the applicant shall fill in, stating the full name and address of the owner and address of the agent or both, or lessee and manager of such hotel, rooming house, apartment house, together with a full description of the building and property to be used or proposed to be used for such business, and stating the location of same, which application upon its return to the State board of health shall be accompanied by a license fee, as provided by law.

SEC. 8. *Penalty.*—Every person, firm, or corporation who shall fail or refuse to comply with the provisions of this act shall be deemed guilty of a misdemeanor and shall be subject to a fine of not less than \$5 nor more than \$50 for each and every day he shall fail or refuse to so comply.

SEC. 9. *Sanitation; fire escapes.*—Every hotel, rooming house, apartment house, or restaurant in this State shall be properly plumbed, lighted, and ventilated, and shall be conducted in every department with strict regard to health, comfort, and safety of the guests: *Provided*, That such proper lighting shall be construed to apply to both [sic] daylight illumination, and that such proper plumbing shall be construed to mean

that all plumbing and drainage shall be constructed and plumbed according to approved sanitary principles and that such proper ventilation shall be construed to mean at least one door and one window in each sleeping room.

No room shall be used as a sleeping room which does not open to the outside of the building or upon light wells, air shafts, or courts, and all sleeping rooms shall have at least one window and one door.

In each sleeping room there must be at least one window with openings so arranged as to provide easy access to the outside of building, light wells, or courts.

SEC. 10. *Health and sanitation.*—In all cities, towns, and villages not having a system of waterworks every hotel, rooming house, apartment house, or restaurant shall have properly constructed privies or other vaults to receive the night soil, the same to be kept clean and well screened at all times and free from filth of every kind. Separate apartments shall be furnished for sexes, each being properly designated.

SEC. 11. *Wash room.*—Each hotel or restaurant in this State shall be provided with a main public wash room, convenient and of easy access to guests.

SEC. 12. *Examinations.*—For the purpose of carrying into effect the provisions of this act the State board of health shall supervise the licensing, examination, and inspection of all hotels, rooming houses, apartment houses, or restaurants as provided herein.

SEC. 13. *Duty of inspector; records.*—It shall be the duty of said inspector, under the supervision and direction of the State board of health, to see that all provisions of this act are complied with, and said inspectors shall personally inspect, once in 12 months, as herein provided, every hotel, rooming house, apartment house, and restaurant as defined in this act, but it shall be unlawful for such inspector to make known to the proprietor in charge of such hotel his intentions to make inspection at such time. Said inspectors are hereby granted police power to enter any hotel, rooming house, apartment house, or restaurant at any reasonable hour to determine whether or not the provisions of this act are being complied with. The State board of health shall keep a complete set of books for public use and inspection showing the condition of each hotel, rooming house, apartment house, and restaurant so inspected, together with the name of the proprietor, and showing its sanitary conditions and the number and condition of its fire escapes and any other information for the benefit of the public service. It shall be the duty of the State board of health to furnish any citizen of the State with such blanks as to facilitate the reports desired to be made by any such citizen relative to any hotel, rooming house, apartment house, or restaurant subject to the provisions of this act and to enable such citizen to give an abstract of evidence or names of witnesses which may be produced to sustain the charge of any violation of this act.

SEC. 14. *Certificate of inspection.*—If the State board of health shall find, after examination and report of the inspector of any hotel, rooming house, apartment house, or restaurant in such county that this law has been fully complied with and the license fee paid, said board of health shall issue certificate to that effect to the proprietor of such hotel, rooming house, apartment house, or restaurant, and said certificate shall be kept posted up in a conspicuous place in said building.

SEC. 15. *False certificate.*—Any inspector or member of the State board of health who shall willfully certify falsely regarding any building inspected by him or under them [sic] or who shall issue a certificate to any person operating a hotel, rooming house, apartment house, or restaurant when the person operating the same has not complied with the provisions of this act, he shall be deemed guilty of a felony, and upon conviction thereof shall be fined in any sum not less than \$50 nor more than \$500, or shall be confined in the State prison for a year and a day, and shall forever be disqualified from holding any public office in the State of Oklahoma.

SEC. 16. *Resisting officer; violations of act.*—Any proprietor of a hotel, rooming house, apartment house, or restaurant who shall obstruct or hinder any inspector in the proper

discharge of his duties under this act, or who shall operate such hotel, rooming house, apartment house, or restaurant, or keep the same open for the public after an examination thereof as provided in this act, without paying the license fee and obtaining the certificate authorized to be issued by this act, shall be guilty of a misdemeanor.

SEC. 17. *Complaint.*—It shall be the duty of the inspector, upon ascertaining by inspection or otherwise, that after this act takes effect any hotel, rooming house, apartment house, or restaurant is being carried on contrary to the provisions of this act, to make complaint and cause the arrest of the person so violating same.

SEC. 18. *Violations; misdemeanor.*—Any violation of this act (where not otherwise provided for, both as to grade and punishment) shall constitute a misdemeanor, and any person convicted shall be fined in a sum not less than \$10 nor more than \$100, or by punishment [sic] or imprisonment in the county jail for not less than 5 nor more than 60 days, or by both such fine and imprisonment.

**Advertisements—Untrue, Deceptive, or Misleading, Prohibited. (Chap. 61, Act Mar. 3, 1915.)**

SECTION 1. *Misrepresenting wares; penalty.*—That any person, firm, corporation, or association who, with intent to sell or in anywise dispose of merchandise, securities, service, or anything offered by such person, firm, corporation, or association, directly or indirectly, to the public for sale or distribution, or with intent to increase the consumption thereof, or to induce the public in any manner to enter into any obligation relating thereto or to acquire title thereto or an interest therein, makes, publishes, disseminates, circulates, or places before the public, or causes directly or indirectly to be made, published, disseminated, circulated, or placed before the public in this State in a newspaper or other publication or in form of a book, notice, handbill, poster, bill, circular, pamphlet, or letter, or in any other way an advertisement of any sort regarding merchandise, securities, service, or anything so offered to the public, which advertisement contains any assertion, representation, or statement of fact which is untrue, known by him to be deceptive or misleading, shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than \$10 nor more than \$50 or by imprisonment in the county jail not exceeding 20 days, or both such fine and imprisonment.

## OREGON.

### **Ophthalmia Neonatorum—Notification of Cases—Directions for Treatment of.** (Chap. 210, Act Feb. 23, 1915.)

SECTION 1. Should one or both eyes of an infant become inflamed or swollen or reddened at any time within two weeks after birth, it shall be the duty of the midwife or nurse, or other person having the care of such infant, to report in writing within 24 hours after the discovery thereof, to the health officer or legally qualified practitioner of the city, town, or district in which the mother of the child resides, the fact that such inflammation or swelling or redness exists.

SEC. 2. That it shall be the duty of said health officer, immediately upon receipt of said written report, to notify the parents or the person having charge of said infant of the danger to the eye or eyes of said infant by reason of said condition from neglect of proper treatment of the same, and he shall also inclose to them directions for the proper treatment thereof.

SEC. 3. Every health officer shall furnish a copy of this act to each person who is known to him to act as midwife or nurse in the city or town for which such health officer is appointed, and the State board of health shall cause a sufficient number of copies of this act to be printed and supply the same to such health officer on application.

SEC. 4. Any failure to comply with the provisions of this act shall be punishable by fine of \$25 to \$100 or imprisonment not to exceed 30 days, or both.

[This act became effective May 22, 1915.]

### **Rabies—Prevention of—Bounties for Killing Wild Animals.** (Chap. 26, Act Feb. 4, 1915.)

SECTION 1. That section 5747 of Lord's Oregon Laws be and the same hereby is amended to read as follows:

SEC. 5747. There shall be paid by the State of Oregon and the counties thereof as in this act and in the manner hereinafter provided for the killing and destruction of the following named animals, hereafter killed in the State of Oregon, the following bounties: For each coyote or coyote pup, \$1.50, but the sum of \$3 and no more for each coyote or coyote pup to and including December 31, 1915; for each gray wolf or black wolf, \$5; for each gray wolf pup, black wolf pup, timber wolf or timber wolf pup, \$2.50; for each bobcat, wildcat, or lynx, \$2; for each mountain lion, panther, or cougar, \$10.

### **State Board of Health—Appropriations for 1915 and 1916.** (Chap. 296, Act Feb. 24, 1915.)

SECTION 1. The following sums, or so much thereof as may be necessary, and no more, are hereby appropriated out of the moneys in the general fund in the State treasury, not otherwise appropriated, for the several objects and purposes hereinafter named, for the two years commencing on the 1st day of January, 1915, and ending on the 31st day of December, 1916, viz:

For the payment of the expenses of the State board of health incurred in the supervision of the interests of the health and lives of the citizens of the State; in collecting and keeping the vital statistics of the State; in making sanitary investigations and inquiries respecting the causes and prevention of diseases, including those of domestic animals; in the study of the causes of mortality, and the effects of localities, employ-

ments, conditions, foods, beverages, habits, and circumstances of the health of the people; in making and enforcing quarantine regulations; in the purchase of vaccines and sera; in equipping and maintaining a suitable laboratory; for the payment of the traveling and other necessary expenses of the members of the board incurred in the performance of their official duties; for the payment of the salaries of employees and of office clerks and stenographers and official registrars of vital statistics, office rent, office stationery and office supplies, and such other expenses as may be necessary and proper in carrying into force and effect the various statutes creating said board and defining its duties and powers: *Provided, however,* That said board shall immediately establish, transfer, and maintain its offices and laboratory in the capital city when so directed by the governor, \$30,000.

For the aid of the Oregon Social Hygiene Society in continuing, extending, and prosecuting its educational work throughout the State of Oregon in the cause of social hygiene: *Provided,* That the amount hereby appropriated shall be expended under the supervision and direction of the Oregon State Board of Health, \$15,000.

SEC. 2. Any sum or amount of money that shall have been paid for any of the objects specified in section 1 of this act, from any continuing appropriation or in any manner from the State treasury, for expenses, accruing during the period therein stated, shall be deducted from the amount hereby appropriated therefor, and no more than the respective sums herein specified shall be paid for the several objects mentioned from the State treasury by reason of any and all appropriations for such respective objects.

SEC. 3. The secretary of State is hereby authorized and directed to audit all duly approved claims which have been incurred in pursuance of law and the foregoing appropriations, and to draw his warrants on the State treasurer for payment thereof out of the respective appropriations from which the same may be determined to be payable.

**Poisons and Drugs—Penalty for Violation of Act Regulating the Sale of. (Chap. 201, Act Feb. 23, 1915.)**

SECTION 1. That section 12 of chapter 164 of the general laws of the State of Oregon for the year 1913, be and the same hereby is amended to read as follows:

SEC. 12. Any person who shall attempt to secure or secures registration for himself or herself or any other person under this act by making or causing to be made any false representations, or who shall fraudulently represent himself to be registered shall be deemed guilty of a misdemeanor and upon conviction thereof shall be liable to punishment by a fine not exceeding \$100 or by imprisonment for a term not exceeding 50 days, or by both such fine and imprisonment. Any person who shall permit the compounding of prescriptions of medical practitioners, or the selling of drugs, medicines, chemicals, or poisons, in his or her store or pharmacy, except by a registered pharmacist or registered assistant pharmacist or who violates any of the provisions of this section of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be liable to punishment by a fine of not less than \$100 and not more than \$200 or by imprisonment of not exceeding 50 days, or by both such fine and imprisonment: *Provided, however,* That nothing in this act shall apply to or interfere with any practitioner of medicine or dentistry who is duly registered as such by their respective State board of examiners of this State, with supplying his own patients, as their physician or dentist and by them employed as such, with such remedies as he may desire, and who does not keep a pharmacy, open shop, or drug store, advertised or otherwise, for the retailing of medicines or poisons; nor does this act apply to the exclusively wholesale business of any dealer, nor to the manufacture or sale of proprietary medicines or patent medicines, or to the sale of any household remedies and medicines, by general dealers not druggists, in the original packages when properly labeled; nor does this act apply to the supplying by veterinary surgeons duly registered under the laws of the State of Oregon of remedies required in

the practice of their profession; nor to the sale by grocers and dealers generally of the following named poisons, to wit: Fly paper, ant poison, squirrel poison, gopher poison, arsenical poison used for orchard spraying when sold in the original unbroken package and blue stone when properly labelled with the name of the dealer and marked poison.

**Births and Deaths—Registration of. (Chap. 268, Act Feb. 24, 1915.)**

SECTION 1. That it shall be the duty of the State board of health to have charge of the State system of registration of births and deaths and to prepare the necessary rules, forms, and blanks for obtaining records and to insure the faithful registration of the same. The secretary of the State board of health shall be ex officio State registrar, and shall have general supervision over the system of vital statistics hereby authorized, and shall be charged with the uniform and thorough enforcement of this law throughout the State, and shall from time to time recommend any additional forms and amendments that may be necessary. The State board of health is authorized to appoint when necessary an assistant State registrar, who shall be assistant secretary of the State board of health, and to employ the necessary clerical assistants to properly record, index, and classify the returns of vital statistics herein provided for.

SEC. 2. That for the purpose of this act the State shall be divided into registration districts as follows: Each city and incorporated town of 2,000 population and over shall constitute a primary registration district, and each county, exclusive of the portion included within cities and incorporated towns, as above provided, shall be subdivided by the State registrar into districts in such manner as may appear necessary for the convenience of the people, and each such district shall constitute a primary registration district, and each primary registration district shall be numbered by the State registrar.

SEC. 3. That the health officer of each city and incorporated town of 2,000 population and over shall be the local registrar in and for such primary registration district and shall perform all the duties of local registrar as hereinafter provided. The State registrar shall appoint a suitable person to be local registrar in and for each district not included in cities and incorporated towns, as above provided, who shall hold such position during the pleasure of the State registrar, and shall perform all the duties of local registrar, as hereinafter provided. Each local registrar shall immediately appoint in writing a deputy, who shall be authorized to act in his stead in case of absence, death, illness, or disability, and notify the State registrar of such appointment.

SEC. 4. That it shall be unlawful for any person to inter, deposit in a vault, grave, or tomb, cremate, or otherwise dispose of, or disinter or remove from one registration district to another, or hold for more than 72 hours after death, the body or remains of any person whose death occurs in this State, or any body which shall be found in this State, without obtaining from the local registrar of the district in which the death occurred or in which the body was found, and having a permit for the burial, disinterment, or removal of such body: *Provided*, That any licensed embalmer of this State may temporarily remove any such body of a person dying in this State from the place where death occurred outside the corporate limits of any city or town of 2,000 population or more to another registration district for the purpose of preparing the same for burial without having first obtained a removal permit, but in such case the embalmer shall at the time of securing a burial, removal, or transit permit for such body file with the registrar from whom such permit is secured, upon a blank to be furnished by the State registrar, a certificate in writing of such temporary removal, signed by the embalmer, and it shall be unlawful for any person to bring into or transport within the State, or inter, deposit in a vault, grave, or tomb, or cremate or otherwise dispose of the body or remains of any person whose death occurred outside the State unless such body or remains be accompanied by a removal or transit permit issued in accordance with the law and health regulations in force where the death occurred, or unless a special permit for bring[ing] such body into this State shall be obtained from the State registrar.



SEC. 5. That stillborn children or those dead at birth shall be registered as births and also as deaths, and a certificate of both the birth and the death shall be filed with the local registrar, in the usual form and manner, the certificate of birth to contain, in place of the name of the child, the word "stillbirth": *Provided*, That a certificate of birth and a certificate of death shall not be required for a child that has not advanced to the fifth month of uterogestation. The medical certificate of the cause of death shall be signed by the attending physician or midwife, if any, and shall state the cause of death as "stillborn," with the cause of the stillbirth, if known, whether a premature birth, and if born prematurely, the period of uterogestation, in months if known; and a burial or removal permit in usual form shall be required.

SEC. 6. That the certificate of death shall contain the following items:

(1) Place of death; including State, county, township, or town, village, or city. If in a city, the ward, street, and house number. If in a hospital or other institution, the name of the same to be given instead of the street and house number. If in an industrial camp, the name to be given.

(2) Full name of decedent. If an unnamed child, the surname preceded by "unnamed."

(3) Sex.

(4) Color or race; as white, black (negro or negro descent), Indian, Chinese, Japanese, or other.

(5) Conjugal condition; as single, married, widowed, or divorced.

(6) Date of birth, including the year, month, and day.

(7) Age, in years, months and days.

(8) Place of birth, State or foreign country.

(9) Name of father.

(10) Birthplace of father, State or foreign country.

(11) Maiden name of mother.

(12) Birthplace of mother, State or foreign country.

(13) Occupation. The occupation to be reported of any person who had any remunerative employment, women as well as men.

(14) Signature and address of informant.

(15) Date of death, including the year, month, and day.

(16) Statement of medical attendants on decedent, fact and time of death, including the last time seen alive.

(17) Cause of death, including the primary and immediate causes, and contributory causes or complications, if any, and duration of each.

(18) Signature and address of physician or official making the medical certificate.

(19) Special information concerning deaths in hospitals and institutions, and of persons dying away from home, including the former or usual residence, length of time, and place of death, and place where disease was contracted.

(20) Place of burial or removal.

(21) Date of burial or removal.

(22) Signature and address of undertaker.

(23) Official signature of registrar, with date when certificate was filed, and registered number.

The personal and statistical particulars (items 1 to 13) shall be authenticated by the signature of the informer, who may be any competent person acquainted with the facts.

The statement of facts relating to the disposition of the body shall be signed by the undertaker or person acting as such.

The medical certificate shall be made and signed by the physician, if any, last in attendance on the deceased, who shall specify the time in attendance, the time he last saw the deceased alive, and the hour of the day at which death occurred. And he shall further state the cause of death, so as to show the course of disease or sequence of causes resulting in death, giving the primary and immediate causes,

the practice of their profession; nor to the sale by grocers and dealers generally of the following named poisons, to wit: Fly paper, ant poison, squirrel poison, gopher poison, arsenical poison used for orchard spraying when sold in the original unbroken package and blue stone when properly labelled with the name of the dealer and marked poison.

**Births and Deaths—Registration of. (Chap. 268, Act Feb. 24, 1915.)**

SECTION 1. That it shall be the duty of the State board of health to have charge of the State system of registration of births and deaths and to prepare the necessary rules, forms, and blanks for obtaining records and to insure the faithful registration of the same. The secretary of the State board of health shall be ex officio State registrar, and shall have general supervision over the system of vital statistics hereby authorized, and shall be charged with the uniform and thorough enforcement of this law throughout the State, and shall from time to time recommend any additional forms and amendments that may be necessary. The State board of health is authorized to appoint when necessary an assistant State registrar, who shall be assistant secretary of the State board of health, and to employ the necessary clerical assistants to properly record, index, and classify the returns of vital statistics herein provided for.

SEC. 2. That for the purpose of this act the State shall be divided into registration districts as follows: Each city and incorporated town of 2,000 population and over shall constitute a primary registration district, and each county, exclusive of the portion included within cities and incorporated towns, as above provided, shall be subdivided by the State registrar into districts in such manner as may appear necessary for the convenience of the people, and each such district shall constitute a primary registration district, and each primary registration district shall be numbered by the State registrar.

SEC. 3. That the health officer of each city and incorporated town of 2,000 population and over shall be the local registrar in and for such primary registration district and shall perform all the duties of local registrar as hereinafter provided. The State registrar shall appoint a suitable person to be local registrar in and for each district not included in cities and incorporated towns, as above provided, who shall hold such position during the pleasure of the State registrar, and shall perform all the duties of local registrar, as hereinafter provided. Each local registrar shall immediately appoint in writing a deputy, who shall be authorized to act in his stead in case of absence, death, illness, or disability, and notify the State registrar of such appointment.

SEC. 4. That it shall be unlawful for any person to inter, deposit in a vault, grave, or tomb, cremate, or otherwise dispose of, or disinter or remove from one registration district to another, or hold for more than 72 hours after death, the body or remains of any person whose death occurs in this State, or any body which shall be found in this State, without obtaining from the local registrar of the district in which the death occurred or in which the body was found, and having a permit for the burial, disinterment, or removal of such body: *Provided*, That any licensed embalmer of this State may temporarily remove any such body of a person dying in this State from the place where death occurred outside the corporate limits of any city or town of 2,000 population or more to another registration district for the purpose of preparing the same for burial without having first obtained a removal permit, but in such case the embalmer shall at the time of securing a burial, removal, or transit permit for such body file with the registrar from whom such permit is secured, upon a blank to be furnished by the State registrar, a certificate in writing of such temporary removal, signed by the embalmer, and it shall be unlawful for any person to bring into or transport within the State, or inter, deposit in a vault, grave, or tomb, or cremate or otherwise dispose of the body or remains of any person whose death occurred outside the State unless such body or remains be accompanied by a removal or transit permit issued in accordance with the law and health regulations in force where the death occurred, or unless a special permit for bring[ing] such body into this State shall be obtained from the State registrar.

SEC. 5. That stillborn children or those dead at birth shall be registered as births and also as deaths, and a certificate of both the birth and the death shall be filed with the local registrar, in the usual form and manner, the certificate of birth to contain, in place of the name of the child, the word "stillbirth": *Provided*, That a certificate of birth and a certificate of death shall not be required for a child that has not advanced to the fifth month of uterogestation. The medical certificate of the cause of death shall be signed by the attending physician or midwife, if any, and shall state the cause of death as "stillborn," with the cause of the stillbirth, if known, whether a premature birth, and if born prematurely, the period of uterogestation, in months if known; and a burial or removal permit in usual form shall be required.

SEC. 6. That the certificate of death shall contain the following items:

(1) Place of death; including State, county, township, or town, village, or city. If in a city, the ward, street, and house number. If in a hospital or other institution, the name of the same to be given instead of the street and house number. If in an industrial camp, the name to be given.

(2) Full name of decedent. If an unnamed child, the surname preceded by "unnamed."

(3) Sex.

(4) Color or race; as white, black (negro or negro descent), Indian, Chinese, Japanese, or other.

(5) Conjugal condition; as single, married, widowed, or divorced.

(6) Date of birth, including the year, month, and day.

(7) Age, in years, months and days.

(8) Place of birth, State or foreign country.

(9) Name of father.

(10) Birthplace of father, State or foreign country.

(11) Maiden name of mother.

(12) Birthplace of mother, State or foreign country.

(13) Occupation. The occupation to be reported of any person who had any remunerative employment, women as well as men.

(14) Signature and address of informant.

(15) Date of death, including the year, month, and day.

(16) Statement of medical attendants on decedent, fact and time of death, including the last time seen alive.

(17) Cause of death, including the primary and immediate causes, and contributory causes or complications, if any, and duration of each.

(18) Signature and address of physician or official making the medical certificate.

(19) Special information concerning deaths in hospitals and institutions, and of persons dying away from home, including the former or usual residence, length of time, and place of death, and place where disease was contracted.

(20) Place of burial or removal.

(21) Date of burial or removal.

(22) Signature and address of undertaker.

(23) Official signature of registrar, with date when certificate was filed, and registered number.

The personal and statistical particulars (items 1 to 13) shall be authenticated by the signature of the informer, who may be any competent person acquainted with the facts.

The statement of facts relating to the disposition of the body shall be signed by the undertaker or person acting as such.

The medical certificate shall be made and signed by the physician, if any, last in attendance on the deceased, who shall specify the time in attendance, the time he last saw the deceased alive, and the hour of the day at which death occurred. And he shall further state the cause of death, so as to show the course of disease or sequence of causes resulting in death, giving the primary and immediate causes,

and also the contributory causes, if any, and the duration of each. Indefinite and unsatisfactory terms, indicating only symptoms of disease or conditions resulting from disease, will not be held as sufficient for issuing a burial or removal permit; and any certificate containing only such terms as defined by the State registrar as indefinite and unsatisfactory shall be returned to the physician for correction and definition. Causes of death, which may be the result of either disease or violence, shall be carefully defined; and if from violence, its nature shall be stated, and whether accidental, suicidal, or homicidal, and in case of death in hospitals, institutions, or away from home, the physician shall furnish the information required under this head (item 19), and shall state where, in his opinion, the disease was contracted.

SEC. 7. That in case of any death occurring without medical attendance, it shall be the duty of the undertaker, or any person acting as such, to notify the local registrar of the registration district where such death occurs, of such death, and the local registrar shall at once investigate the circumstance of the case and make a certificate and return of death, noting upon the certificate the fact that such death occurred without medical attendance: *Provided*, If the local registrar is not a qualified physician and the cause of death is obscure or uncertain, the local registrar shall refer the case to the health officer having jurisdiction over the locality where the death occurred, for certification: *And provided further*, That if the circumstances of the case render it probable that the death was caused by unlawful means, the local registrar shall refer the case to the coroner.

SEC. 8. That it shall be the duty of every undertaker, or person acting as undertaker, to obtain a certificate of death and file the same with the local registrar, and secure a burial or removal permit, prior to any permanent disposition of the body. He shall obtain the personal and statistical particulars required, from the person best qualified to supply them, over the signature and address of such person, or state over his own signature that after careful inquiry he could not obtain such particulars. He shall then present the certificate to the attending physician, if any, or in case the death occurred without any medical attendance, to the proper official for certification as hereinabove provided, for the medical certificate of the cause of death and other particulars necessary to complete the record as hereinabove provided. And he shall state the facts required relative to the date and place of burial, over his signature and with his address, and present the completed certificate to the local registrar, for the issuance of a burial or removal permit. The undertaker shall deliver the burial permit to the sexton, or person in charge of the place of burial before interring the body; or shall attach the transit permit containing the local registrar's removal permit, to the box containing the corpse, when shipped by any transportation company, and said permit shall accompany the corpse to its destination: *Provided*, That when a body is removed from one registration district in Oregon to another for interment, cremation or other permanent disposition not requiring the use of a common carrier or the issuance of a transit permit, the registrar's removal permit from the district where death occurred may be accepted as authority for burial in the other district. It shall be the duty of every person, firm or corporation selling a casket to keep a record showing the name and post-office address of the purchaser, the name of the deceased and the date and place of death of the deceased, which record shall be open to inspection of the State registrar at all times, and it shall be the duty of every person, firm or corporation selling caskets to report on the first day of each month to the State registrar each sale for the preceding month, on a blank provided for that purpose: *Provided, however*, That no person, firm or corporation selling caskets to dealers or undertakers only shall be required to keep such record. It shall be the duty of every person, firm or corporation selling a casket at retail, and not having charge of the disposition of the body, to inclose within the casket a notice furnished by the State registrar calling attention to the requirements of the

law, a blank certificate of death, and a copy of the rules and regulations of the State board of health concerning the burial or other disposition of dead bodies.

SEC. 9. That if the interment, or other disposition of the body, is to be made within the State, the wording of the burial permit may be limited to a statement by the local registrar and over his signature, that a satisfactory certificate of death having been filed with him, as required by law, permission is granted to inter, remove or otherwise dispose of the deceased; stating the name, age, sex, cause of death, and other necessary details upon the form prescribed by the State registrar.

SEC. 10. That it shall be unlawful for any person in charge of any premises in which bodies of deceased persons are interred, cremated or otherwise permanently disposed of, to permit the interment, cremation or other disposition of any body upon such premises unless it is accompanied by a burial, removal or transit permit as hereinabove provided. It shall be the duty of the person in charge of any such premises to, in case of the interment, cremation or other disposition of a body therein, indorse upon the permit the date and character of such disposition, over his signature, to return all permits so indorsed to the local registrar of his district within 10 days from the date of such disposition, and to keep a record of all bodies disposed of on the premises under his charge stating, in each case, the name of the deceased person, if known, the place of death, the date of burial or other disposition, and the name and address of the undertaker, which record shall at all times be open to public inspection; and it shall be the duty of every undertaker, or person acting as such, when burying a body in a cemetery or burial grounds having no person in charge, to sign the burial, removal or transit permit, giving the date of burial, write across the face of permit the words "no person in charge," and file the burial, removal or transit permit within 10 days with the registrar of the district in which the cemetery is located.

SEC. 11. That all births that occur in the State shall be immediately registered in the districts in which they occur, as hereinafter provided.

SEC. 12. That it shall be the duty of the attending physician or midwife to file a certificate of birth, properly and completely filled out, giving all of the particulars required by this act, with the local registrar of the district in which the birth occurred, within 10 days after the date of birth. And if there be no attending physician or midwife, then it shall be the duty of the father or the mother of the child, householder or owner of the premises, manager or superintendent of public or private institution in which the birth occurred, to notify the local registrar, within 10 days after the birth, of the fact of such a birth having occurred. It shall then, in such case, be the duty of the local registrar to secure the necessary information and signature to make the proper certificate of birth.

SEC. 13. That the certificate of birth shall contain the following items:

(1) Place of birth, including State, county, township, or town, village, or city. If in a city, the ward, street, and house number; if in a hospital or other institution, the name of the same to be given, instead of the street and house number.

(2) Full name of the child. If the child dies without a name, before the certificate is filed enter the words "died unnamed." If the living child has not been named at the date of filing certificate of birth, the space for "full name of child" is to be left blank, to be filled out subsequently by a supplemental report, as hereinafter provided.

(3) Sex of child.

(4) Whether a twin, triplet, or other plural birth. A separate certificate shall be required for each child in a case of plural birth, giving the number of child in order of birth.

(5) Whether legitimate or illegitimate.

(6) Full name of father.

(7) Residence of father.

(8) Color or race of father.

(9) Birthplace of father.

- (10) Age of father at last birthday, in years.
- (11) Occupation of father.
- (12) Maiden name of mother, in full.
- (13) Residence of mother.
- (14) Color or race of mother.
- (15) Birthplace of mother.
- (16) Age of mother at last birthday, in years.
- (17) Occupation of mother.
- (18) Number of child of this mother, and number of children of this mother now living.

SEC. 14. That when any certificate of birth of a living child is presented without statement of the given name, it shall be the duty of every local registrar to make out and deliver to the parents of such child a special blank for the supplemental report of the given name of the child, which shall be filled out as directed and returned to the registrar as soon as the child has been named. The original certificate of birth shall not be considered complete until the supplemental report is filed or the blank returned with the statement "died unnamed."

SEC. 15. That every physician, midwife, and undertaker shall, without delay, register his or her name, address, and occupation with the local registrar of the district in which he or she resides or may hereafter establish a residence; and shall thereupon be supplied by the local registrar with a copy of this act, together with such rules and regulations as may be prepared by the State registrar relative to its enforcement. Within 30 days after October 1 of each year each local registrar shall make a return to the State registrar of all physicians and midwives who have been registered in his district during the whole or any part of the preceding calendar year: *Provided*, That no fee or other compensation shall be charged by local registrars to physicians, midwives, or undertakers for registering their names under this section or making returns thereof to the State registrar.

SEC. 16. That all superintendents or managers, or other persons in charge of hospitals, almshouses, lying-in or other institutions, public or private, to which persons resort for treatment of diseases, confinement, or are committed by process of law, are hereby required to make a record of all the personal and statistical particulars relative to the inmates in their institutions, at the date of approval of this act, that are required in the form of the certificate provided for by this act, as directed by the State registrar; and thereafter such record shall be by them made for all future inmates at the time of their admission. And in case of persons admitted or committed for medical treatment of contagious disease, the physician in charge shall specify, for entry in the record, the nature of the disease, and where, in his opinion, it was contracted. The personal particulars and information required by this section shall be obtained from the individual himself, if it is practicable to do so; and when they can not be so obtained, they shall be secured in as complete a manner as possible from the relatives, friends, or other persons acquainted with the facts.

SEC. 17. That the State registrar shall prepare, print, and supply to all registrars all blanks and forms used in registering, recording, and preserving the returns, or in otherwise carrying out the purposes of this act; and shall prepare and issue such detailed instructions as may be required to secure the uniform observances of its provisions and the maintenance of a perfect system of registration. And no other blanks shall be used than those supplied by the State registrar. He shall carefully examine the certificates received monthly from the local registrars, and if any such are incomplete or unsatisfactory he shall require such further information to be furnished as may be necessary to make the record complete and satisfactory and shall cause such further information to be attached to and filed with the certificate; and all physicians, midwives, informants, or undertakers connected with any case and all other persons having knowledge of the facts are hereby required to furnish such

information as they may possess regarding any birth or death upon demand of the State registrar in person, by mail, or through the local registrar. He shall furnish, arrange, bind, and permanently preserve the certificates in a systematic manner, and shall prepare and maintain a comprehensive and continuous card index of all births and deaths registered, the cards to show the name of child or deceased, place and date of birth or death, number of certificate, and the volume in which it is contained. He shall inform all local registrars what diseases are to be considered as infectious, contagious, or communicable and dangerous to the public health, as decided by the State board of health, in order that when death occurs from such diseases, proper precautions may be taken to prevent the spreading of dangerous diseases.

If any cemetery company or association, or any church or historical society or association, or any other company, society, or association, or any individual is in possession of any record of births or deaths which may be of value in establishing the genealogy of any resident of this State, such company, society, association, or individual may file such record or a duly authenticated transcript thereof with the State registrar, and it shall be the duty of the State registrar to preserve such record or transcript and to make a record and index thereof in such form as to facilitate the finding of any information contained therein. Such record and index shall be open to inspection by the public, subject to such reasonable conditions as the State registrar may prescribe. If any person desires a transcript of any record filed in accordance herewith, the State registrar shall furnish the same upon application, together with a certificate that it is a true copy of such record, as filed in his office, and for his services in so furnishing such transcript and certificate he shall be entitled to a fee of 50 cents per hour or fraction of an hour necessarily consumed in making such transcript and to a fee of 25 cents for the certificate, which fees shall be paid by the applicant.

SEC. 18. That it shall be the duty of every local registrar to supply blank forms of birth certificates and death certificates to such persons as are required by this act to file the same in his office, to demand and procure the filing of such certificates within the time specified within this act, to carefully examine each such certificate presented for filing to see that it is properly filled out and signed in accordance with the provisions of this act and the instructions of the State registrar. All birth and death certificates shall be legibly written in durable ink and be free from erasures and alterations, and no certificate shall be held to be complete that does not contain all the items of information called for therein or satisfactorily account for the admission. If any certificate presented for filing is incomplete, illegible, or not written in ink or contains erasures or alterations, the local registrar shall, in case of a birth certificate, immediately notify the person presenting the same of the defects therein and require him to file a proper certificate, and shall, in case of a death certificate, notify the person presenting the same of the defects therein and withhold the burial or removal permit until a complete and proper certificate is filed. Upon the filing of a complete and satisfactory death certificate the local registrar shall issue a burial or removal permit: *Provided*, That in case the death occurred from some disease that is declared by the State board of health to be infectious, contagious, or communicable, and dangerous to public health, no permit for the removal or other disposition of the body shall be granted by the local registrar, except under such conditions as may be prescribed by the State and local boards of health. It shall be the duty of every local registrar to number consecutively all birth and all death certificates accepted and filed by him in two separate series, beginning with "No. 1," with year prefixed for the first birth certificate and the first death certificate filed in each calendar year, and to indorse thereon the date of filing and attest the same with his signature. And it shall be the duty of each local registrar to make, in such manner as shall be directed by the State registrar, a complete and accurate copy of each birth and each death certificate filed with him, to carefully preserve such copies and turn the same over to his successor in office as a permanent local record, and to, on or before the 10th day of each

calendar month, transmit to the State registrar all original certificates filed with him during the preceding month, and if no birth or death certificates have been filed during any month, to on or before the 10th day of the following month, report that fact to the State registrar on a card to be provided for that purpose. Certified copies of original certificates of birth or death filed in the office of the State registrar and certified copies of the local record of such certificates in any local registrar's office in any city or town of 2,000 inhabitants or over shall be prima facie proof of the facts therein stated in all actions and proceedings in all courts where proof of such facts is competent, and a certificate signed by the State registrar or any local registrar giving the name and date of birth and the names of the parents of any child as shown by the original birth certificate or the local record thereof shall be accepted as prima facie proof of the age of such child, by the public-school authorities and by the authorities issuing employment permits for minors.

SEC. 19. That each local registrar shall be paid the sum of 25 cents for each birth or death certificate properly and completely made out and registered with him and by him returned to the State registrar on or before the 10th day of the following month, which sum shall cover and include the making out of the burial permit and copy of the certificate to be filed and preserved in his office. And in case no births or deaths were registered during any month the local registrar shall be paid the sum of 25 cents for each report to that effect, properly made out in accordance with the directions of the State registrar: *Provided*, That all local registrars who receive regular compensation as health officers shall not be entitled to the fee of 25 cents above mentioned, but the duties of the local registrar shall be considered as a part of their [his] duty as local health officer. All accounts payable to local registrars under the provisions of this act shall be paid by the treasurer or other lawful officer, out of the funds of the county or city, upon warrants drawn by the county auditor or other proper local officer of such county or city, which warrant shall specify the number of certificates properly registered and reports promptly returned where no births or deaths are registered: *Provided, however*, That no warrant shall be issued to any local registrar until he shall present a certificate from the State registrar stating the number of certificates and reports of no births and no deaths properly returned to the State registrar, which certificate the State registrar shall issue during the months of January, April, July, and October of each year, after he shall have received the certificates and reports for the months next preceding.

SEC. 20. That the State registrar shall, upon request, furnish any applicant a certified copy of the record of any birth or death registered under provisions of this act, for the making and certification of which he shall be entitled to a fee of 50 cents, to be paid by the applicant. And any such copy of the record of a birth or death, when properly certified by the State registrar to be a true copy thereof, shall be prima facie evidence in all courts and places of the facts therein stated. For any search of the files and records when no certified copy is made the State registrar shall be entitled to a fee of 50 cents for each hour or fractional hour of time of search, to be paid by the applicant. The State registrar shall keep a true and correct account of all fees by him received under these provisions and turn such fees over to the State treasurer on the first day of January, April, July, and October: *Provided*, That in cities and towns of 2,000 inhabitants or more as hereinbefore provided certified copies of any birth or death may be furnished by the local health authorities, and any such copy of the record of the birth or death when properly certified by such authority shall be prima facie evidence in all courts and places of the facts therein stated by the proper health authority. The fee for such copy or search of record to be the same as herein provided, and all such fees shall be paid into the treasury of such cities: *Provided*, That the State registrar or any local registrar shall, upon request of any parent or guardian, supply, without fee, a certificate limited to a statement as to the date of birth of any child when the same shall be necessary for admission to school or for the purpose of securing employment: *And provided further*, That the United



States Census Bureau may obtain, without expense to the State, transcripts or certified copies of births and deaths without payment of the fees herein prescribed.

SEC. 21. Every person who shall violate or willfully fail, neglect, or refuse to comply with any provision of this act shall be guilty of a misdemeanor and for a second offense shall be punished by a fine of not less than \$25, and for a third and each subsequent offense shall be punished by a fine of not less than \$50 or more than \$250, or by imprisonment for not more than 90 days, or by both such fine and imprisonment, and every person who shall willfully furnish any false information for any certificate required by this act or who shall make any false statement in any such certificate shall be guilty of a gross misdemeanor.

SEC. 22. The local registrars are hereby charged with the strict and thorough enforcement of the provisions of this act in their districts, under the supervision and direction of the State registrar. And they shall make an immediate report to the State registrar of any violation of this law coming to their notice by observation or upon the complaint of any person, or otherwise. The State registrar is hereby charged with the thorough and efficient execution of the provisions of this act in every part of the State, and with supervisory power over local registrars, to the end that all of the requirements shall be complied with. He shall have authority to investigate cases of irregularity or violation of law, personally or by accredited representative, and all local registrars shall aid him, upon request, in such investigation. When he shall deem it necessary he shall report cases of violation of any of the provisions of this act to the prosecuting attorney of the proper county with a statement of the facts and circumstances; and when any such case is reported to them by the State registrar, all prosecuting attorneys or officials acting in such capacity shall forthwith initiate and promptly follow up the necessary court proceedings against the parties responsible for the alleged violations of law. And upon request of the State registrar the attorney general shall likewise assist in the enforcement of the provisions of this act.

SEC. 23. Section 4697 of Lord's Oregon Laws and all acts and parts of act in conflict with this act are hereby repealed.

[This act became effective May 22, 1915.]

**Vital Statistics—Record and Reporting of—State Board of Health to Provide Suitable Books and Blanks. (Chap. 44, Act Feb. 9, 1915.)**

SECTION 1. Section 4694 of Lord's Oregon Laws is hereby amended to read as follows:

The State board of health shall provide suitable books and suitable blanks for keeping [a] record of vital statistics and for reporting the same to county boards of health and secretary of the State board of health.

**Wayward Girls and Maternity and Venereal Cases—Appropriation for Payment to Certain Institutions for Support of. (Chap. 335, Act Feb. 26, 1915.)**

SECTION 1. That section 1 and section 4 of chapter 362<sup>1</sup> of the session laws of the State of Oregon for 1913 be and the same are hereby amended to read as follows:

SEC. 1. There is hereby appropriated \$10,000 annually out of any funds in the hands of the State Treasurer, not otherwise appropriated, for the support of wayward girls between the ages of 12 and 18 years, and maternity and venereal cases under the age of 21 years, now being cared for or who may be hereafter cared for by charitable or corrective institutions in this State, shall be cared for and supported as hereinafter provided.

SEC. 4. Each institution which has received from the State board of health a certificate provided for in section 2 of this act shall be entitled to receive from and out of the appropriation made by section 1 of this act State aid at the rate of \$8 per month for

<sup>1</sup> Reprint No. 264 from the Public Health Reports, p. 385.

each wayward girl (of the class mentioned in said section) between the ages of 12 and 18 years, and at the rate of \$10 per month for each maternity or venereal case under the age of 21 years. All sums to which any such institution becomes entitled under this act shall be paid quarterly-yearly, to wit: For the quarters ending on the last days of March and June and September and December of each year. Each institution shall present to the secretary of state an itemized statement showing the names and ages of the different girls kept and maintained by it during the quarter and the length of time each girl was so kept and maintained and the amount to which it is entitled for each such girl and the gross amount [to which] it is entitled for the quarter, but before being presented to the secretary of state said statement must have been presented to and approved by the secretary of the State board of health. Upon receipt of said statement so approved the secretary of state shall issue a warrant upon the State treasurer in favor of said institution for the amount to which it is entitled for the quarter covered by said statement.

**Water Supplies and Sewage Disposal—Plans to be Approved by the State Board of Health. (Chap. 73, Act Feb. 15, 1915.)**

SECTION 1. Any incorporated town or city in the State desiring to provide a new water supply for drinking or culinary purposes or any person or corporation who shall undertake to provide a new water supply for a town or city or for any number of persons exceeding 10 families or a total of 50 persons shall before performing any work on the ground (other than making examination or surveys for the preparation or provision of such water supply) submit to the State board of health plans showing the source of the supply, and the transmission and distribution systems, with further information as to the amount proposed to be taken and transmitted, the drainage areas from which the waters are to be derived, the purity and wholesomeness of the supply, the kind and character of the works for gathering, storing, and transmitting the water, and the number of persons to be supplied, together with any additional data which the board of health may require as in its judgment proper to enable it to pass intelligently upon the effect of such water supply upon the public health. No such work shall be undertaken or proceeded with until the board of health shall have approved such plans either as originally offered or as modified pursuant to its requirements.

SEC. 2. Any city or town in the State proposing a sewer system or any individual or corporation proposing to install a system of sewerage or disposal of waste products for the use of more than five families or 50 persons shall before undertaking any work on the ground, other than making surveys and preliminary plans, submit to the State board of health the full plans and specifications for the system, showing particularly the location of the outfall and the streams or other places of final disposal, and the method, if any, for the reduction, purification, or use of the sewage. No such plan shall be proceeded with or work done thereon until the plans and specifications either as originally proposed or modified are approved by the State board of health.

SEC. 3. Any violation of the provisions of this act shall be a misdemeanor and shall be punished by a fine of not more than \$500 or by imprisonment of not more than six months in the county jail, and every person in any way responsible for the proceeding with the actual construction of such work until the approval of the State board of health shall have been given thereon shall be deemed guilty of a violation of this act. The State board of health may by proceeding in the proper court enjoin any construction of sewerage or sewage disposal to which it has not given its approval.

[This act became effective May 22, 1915.]

**Mattresses, Comforters, Pillows, etc.—Sale of—Labeling. (Chap. 192, Act Feb. 23, 1915.)**

SECTION 1. Whoever manufactures for sale, offers for sale, sells, delivers or has in his possession with intent to sell or deliver, any mattress, comfort, pillow, or other article

of bed clothing, which contains a covered filling, which is not properly branded or labeled, or whoever uses, either in whole or in part, in the manufacture of mattresses, comforters, pillows, or other articles of bed clothing which contain a covered filling, any cotton or other material which has been used, or has formed a part of any mattress, pillow, or bed used in or about any public or private hospital, or on or about any person having infectious or contagious disease; or whoever dealing in mattresses, comforters, pillows, or other article of bed clothing which contain a covered filling has any such article of personal property in his possession for the purpose of sale, or offers it for sale without a brand or label as herein provided, or removes, conceals, or defaces the brand or label thereon, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$25 nor more than \$500, or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment: *Provided*, That nothing herein contained shall be construed as prohibiting any of the various State institutions of this State from remaking any of its own mattresses or other articles of bed clothing, provided the same are properly fumigated or sterilized: *And provided further*, That nothing in this act contained shall be construed as prohibiting the sale of secondhand mattresses, or other articles of bed clothing, without the use of such label, if such mattress or other article of bed clothing has not been remade for the purpose of sale, or if the same is labeled and sold as a secondhand article.

SEC. 2. The brand or label shall contain in plain print, in the English language, a statement of the material used in the manufacture of such mattress, comforter, pillow, or other article of bed clothing, whether such article of personal property is in whole or in part new or secondhand, and the quantity of new and secondhand materials used, and the qualities of the materials used. Such brand or label shall be in the shape of a paper or cloth tag, to be sewed or otherwise securely attached to each article.

SEC. 3. Any mattress within the meaning of this act shall be defined as being a quilted pad stuffed with hair, wool, or other soft material to be used on a bed for sleeping or reclining purposes; and any comforter within the meaning of this act shall be defined as being any bedspread filled with cotton, wool, or down, or any other soft filling.

SEC. 4. Whenever any State or county health board, or any other public officer, shall have reason or cause to believe that any of the provisions of this act are being, or have been, violated, such board, or member thereof, or any public officer, shall advise the attorney general of the State, and the district attorney of the county where such violation has taken place, giving his information in support of such belief; and it shall be the duty of the attorney general and of the district attorneys of any county in which a violation occurs, to forthwith institute the proper legal proceedings for the enforcement of the provisions of this section, and for the punishment of the violation thereof.

## PENNSYLVANIA.

### Communicable Diseases—Notification of Cases—Quarantine—Placarding—Disinfection—Attendance at Schools and Public Gatherings—Burial—Interference with Officers of Health Department. (Act 268, May 28, 1915.)

SECTION 1. That every physician practicing in any portion of this Commonwealth who shall treat or examine any person suffering from or afflicted with actinomycosis, anthrax, bubonic plague, cerebrospinal meningitis (epidemic), (cerebrospinal fever, spotted fever), chicken-pox, Asiatic cholera, diphtheria (diphtheritic croup, membranous croup, putrid sore throat), epidemic dysentery (bacillary or amebic dysentery), erysipelas, German measles, glanders (farcy), rabies (hydrophobia), leprosy, malarial fever, measles, mumps, pneumonia (true), puerperal fever, relapsing fever, scarlet fever (scarlatina, scarlet rash), smallpox (variola, varioloid), tetanus, trachoma, trichiniasis, tuberculosis in any form, typhoid fever, paratyphoid fever, typhus fever, whooping cough, yellow fever, anterior poliomyelitis, impetigo contagiosa, pellagra, scabies, or uncinariasis shall, if said case shall be located in a township of the first class, a borough, or a city, forthwith make a report in writing to the health authorities of said township, city, or borough; and if said case shall be located in a township of the second class or a city, borough, or township of the first class not having a board of health or body acting as such, to the health officer appointed by the State department of health for such district upon blanks supplied for that purpose, in which report he shall, over his or her own signature, state the name of the disease and the name, age, sex, color, nativity, and occupation, if any, of the person suffering therefrom, together with the street and house number of the premises in which said person may be located, or otherwise sufficiently designate the same, the date of the onset of the disease, the name and occupation of the householder in whose family the disease may have occurred, the number of children in said household attending school, and the name or names of the school or schools so attended, together with such information relating to said case as may be required by said health authorities and the State department of health.

SEC. 2. Upon receipt by the health authorities of any township of the first class, borough, or city, or by the health officer of the State department of health, of a report of the existence of a case of anthrax, bubonic plague, cerebrospinal meningitis (epidemic) (cerebrospinal fever, spotted fever), chicken-pox, Asiatic cholera, diphtheria (diphtheritic croup, membranous croup, putrid sore throat), German measles, glanders (farcy), leprosy, malarial fever, measles, mumps, relapsing fever, scarlet fever (scarlatina, scarlet rash), smallpox (variola, varioloid), typhoid fever, paratyphoid fever, typhus fever, whooping cough, or yellow fever the said health authorities, or the health officer of the State department of health, as the case may be, shall quarantine or cause to be quarantined the premises in which such disease exists; and any person or persons who has or have been exposed thereto in the manner prescribed by the rules and regulations, both of said health authorities and the State department of health, and shall post or cause to be posted in a conspicuous place or places upon the premises in which said disease may be located a placard or placards

upon which shall be printed in conspicuous letters the name of the disease from which the person or persons in said house or premises is or are suffering, with the warning that the said premises are quarantined, that no person or persons other than the attending physician and trained nurse shall enter or leave the said premises except by permission of the health authorities, and setting forth the penalties prescribed by this act for violations of quarantine: *Provided*, That variola or varioloid shall be placarded as "smallpox," and that diphtheritic croup, membranous croup, and putrid sore throat shall be placarded as "diphtheria," that scarlatina and scarlet rash shall be placarded as "scarlet fever," and that paratyphoid fever shall be placarded as "typhoid fever": *Provided further*, That, in addition to the placarding aforesaid, said health authorities may, for the purpose of enforcing quarantine regulations, place a guard or guards over said house or premises.

SEC. 3. That the said placard or placards shall remain in place until the expiration of the quarantine period fixed by the health authorities, and the recovery, death, or removal of the person or persons affected; and shall only be removed by the health officer, at which time he shall disinfect the premises, except for typhoid fever and paratyphoid fever, in accordance with the rules and regulations of the health authorities and the State department of health regarding the destruction and disinfection of infected bedding, clothing, and other articles which have been exposed to infection, and the disinfection of rooms, premises, and inmates.

SEC. 4. The quarantine period for anthrax, bubonic plague, cerebrospinal meningitis (epidemic) (cerebrospinal fever, spotted fever), Asiatic cholera, typhus fever, yellow fever, relapsing fever, leprosy, and whooping cough shall be until the recovery, death, or removal of the patient so suffering, and shall be determined in accordance with the rules and regulations of the health authorities. The quarantine period for smallpox (variola, varioloid) and scarlet fever (scarlatina, scarlet rash) shall be a minimum period of 30 days, or until such time thereafter as the last person in the premises so suffering shall have fully recovered, or until death or removal. The quarantine period for diphtheria (diphtheritic croup, membranous croup, putrid sore throat) shall be a minimum period of 21 days, or until complete recovery or the death or removal of the patient: *Provided*, That if antitoxin has been used for curative purposes for the patient, and for the immunizing of all of the inmates of the premises, and two negative bacteriological cultures have been secured from the diseased area of each patient on the premises, for two successive days, the minimum period of quarantine may be 14 days. The quarantine period for measles, German measles, chicken-pox, and mumps shall be for a minimum period of 16 days, or until the recovery of the last person on the premises so suffering, or until complete recovery or the death or removal of the patient.

SEC. 5. No child or other person suffering from anthrax, bubonic plague, cerebrospinal meningitis (epidemic) (cerebrospinal fever, spotted fever), Asiatic cholera, smallpox (variola, varioloid), typhus fever, yellow fever, relapsing fever, leprosy, diphtheria (diphtheritic croup, membranous croup, putrid sore throat), measles, German measles, glanders (farcy), chicken-pox, mumps, or whooping cough shall be permitted to attend any place of amusement, or any church, or any other public gathering, or to be exposed on any public street, or in any store, shop, factory, or other place of business, or be permitted to attend any public, private, parochial, Sunday, or other school; and the teachers of public schools, and the principals, superintendents, teachers, or other persons in charge of private, parochial, Sunday, or other similar schools, are hereby required to exclude any of such persons from said schools; such

exclusion to continue until the case has recovered, the quarantine lifted, and the premises thoroughly disinfected.

SEC. 6. No child or other person suffering from scarlet fever (scarlatina, scarlet rash) shall be permitted to attend any place of amusement, or any church, or other public gathering, or to be exposed on any public street, or in any store, shop, factory, or other place of business, or be permitted to attend any public, private, parochial, Sunday, or other school; and the teachers of public schools, and the principals, superintendents, teachers, or other persons in charge of private, parochial, Sunday, or other schools, are hereby required to exclude any and all such persons and children from said school; such exclusion to continue for a period of 10 days following the removal of quarantine and a thorough disinfection of the premises, subject to a certificate of complete recovery furnished to the health authorities by the attending physician.

SEC. 7. No child or other person residing in the same premises with any person suffering from anthrax, bubonic plague, cerebrospinal meningitis (epidemic) (cerebrospinal fever, spotted fever), Asiatic cholera, smallpox, (variola, varioid), typhus fever, yellow fever, scarlet fever (scarlatina, scarlet rash), relapsing fever, leprosy, diphtheria (diphtheritic croup, membranous croup, putrid sore throat), measles, German measles, chicken-pox, or mumps shall be permitted to attend any place of amusement, or any church, or other public gathering, or to be exposed, except by permission of the health authorities, on any public street or in any store, shop, factory, or other place of business, or be permitted to attend any public, private, parochial, Sunday, or other schools; and the teachers of public schools, and the principals, superintendents, teachers, or other persons in charge of private, parochial, Sunday, or other similar schools, are hereby required to exclude any and all of such persons from said schools; such exclusion to continue until quarantine is lifted and the premises thoroughly disinfected.

SEC. 8. Any child or person residing on the same premises with any person suffering from anthrax, cerebrospinal meningitis (epidemic) (cerebrospinal fever, spotted fever), or typhus fever may be allowed, after taking a disinfecting bath and putting on disinfected clothing, to remove from the said premises and take up his or her residence on other premises, and may after such removal be admitted into any of the said schools; and any child or person residing on the same premises with anyone suffering from diphtheria (diphtheritic croup, membranous croup, putrid sore throat) may be allowed, after taking a disinfecting bath and putting on disinfected clothing, and after antitoxin has been administered for immunizing purposes, to remove from the said premises and take up his or her residence on other premises occupied only by adults; and may, after five days from said removal, be admitted into any of the said schools; and any child or person residing on the same premises with any child suffering from scarlet fever (scarlatina, scarlet rash), measles, German measles, mumps, or chicken-pox may be allowed, after taking a disinfecting bath and putting on disinfected clothing, to remove from the said premises and take up his or her residence on other premises occupied only by adults, or by children who are immune to the disease (scarlet fever, scarlatina, scarlet rash, measles, German measles, mumps, or chicken-pox) existing on the said premises from which the said child or person has removed, such immunity being shown by the official health records; and may, 14 days after such removal, be admitted to any of the said schools: *Provided*, That if the child or person residing on the same premises with any person suffering from any of the said diseases (scarlet fever, scarlatina, scarlet rash, measles, German measles, mumps, or chicken-pox) and removing therefrom as above provided is himself or herself immune from

the disease existing on the said premises by virtue of a former attack, this fact being shown by the official health records or by other evidence satisfactory to the health authorities, such immune child or person may, on the day following such removal, be admitted to any of the said schools; and any child or person residing on the same premises with any person suffering from relapsing fever may be allowed, after taking a disinfecting bath and putting on disinfected clothing, to remove from the said premises and take up his or her residence on other premises, and may, after 10 days from such removal, be admitted to any of the said schools.

SEC. 9. That every teacher, principal, superintendent, or other person or persons in charge of any public, private, parochial, Sunday, or other school having in any such school any child or person showing an unusual rash or skin eruption, or complaining of soreness in the throat, or having symptoms of whooping cough, or any disease of the eye, shall immediately exclude such child or other person from the schools pending the action of the health authorities, and shall report such fact to the health authorities, and shall report such fact to the health officer of the city, borough, or township, giving the name and residence of such child or other person.

SEC. 10. No child or other person excluded from any school by the provisions of this act shall be readmitted thereto unless he or she, or some person on his or her behalf, shall furnish to the principal, superintendent, or teacher, or other person in charge of said school, a certificate setting forth that the conditions for such readmission prescribed by this act have been complied with, which certificate shall be signed by a person to be designated for that purpose in cities, boroughs, and townships of the first class by the health authorities thereof exclusively; and in townships of the second class, and cities, boroughs, and townships of the first class not having boards of health or bodies acting as such, by the State department of health; and the registry of all public, private, parochial, Sunday, and other schools shall exhibit the names and residences of all children and persons excluded therefrom or readmitted thereto agreeably to the provisions of this or any other act of assembly; and said register shall be open at all times to the inspection of the city, borough, or township authorities and the State department of health and their respective officers and agents.

SEC. 11. Blanks whereon to make the reports and certificates required by this act shall be supplied in cities, boroughs, and townships of the first class by the health authorities thereof respectively; and in townships of the second class, and in cities, boroughs, and townships of the first class not having boards of health or bodies acting as such, by the State department of health.

SEC. 12. It shall be the duty of the health authorities of cities, boroughs, and townships of the first class, respectively, to furnish daily, by mail or otherwise, to principals, superintendents, teachers, and other persons in charge of public, private, parochial, Sunday, and other schools a printed or written bulletin containing the name, location, and disease of all persons suffering from any of the diseases mentioned in sections 5 and 6 of this act upon receipt by them of reports of such cases from physicians, as required by section 1 of this act; and such bulletin shall be daily furnished to such persons in charge of such schools in townships of the second class, and in cities, boroughs, and townships of the first class not having boards of health or bodies acting as such, by the health officer for the State department of health.

SEC. 13. Upon the removal to a hospital or other place, or upon the discharge from the recovery or death of any person or persons who has or have suffered from tuberculosis or any of the diseases mentioned in section 2 of this act all

premises which have been occupied by the said person or persons while suffering from any of the said diseases shall be fumigated and disinfected or destroyed at such time and in such manner as may be authorized and required by the health authorities.

Sec. 14. No person suffering from any of the diseases mentioned in section 2 of this act, nor anyone who has charge of the persons so suffering, shall enter any hired vehicle or other public conveyance, or permit anyone in his or her charge who is suffering therefrom to enter such vehicle, without previously securing the consent of health authorities, and notifying the owner or driver thereof that he or she, or the person in his or her charge, is so suffering; and the owner or driver of such vehicle shall immediately provide for the disinfection of such conveyance, under the direction of the health authorities, after it has with the knowledge of such owner or driver conveyed any such sufferer.

Sec. 15. No person suffering from anthrax, bubonic plague, cerebrospinal meningitis (epidemic) (cerebrospinal fever, spotted fever), chicken-pox, Asiatic cholera, diphtheria (diphtheritic croup, membranous croup, putrid sore throat), measles, German measles, glanders (farcy), mumps, relapsing fever, scarlet fever (scarlatina, scarlet rash), smallpox (variola, varioloid), typhus fever, typhoid fever, yellow fever, or whooping cough, shall willfully expose himself or herself in any street or public place, or public conveyance, nor shall any person in charge of anyone so suffering thus expose the sufferer.

Sec. 16. No person shall, without previous disinfection, give, lend, sell, transmit, or expose any bedding, clothing, rags, or other articles which have been exposed to infection from any of the diseases mentioned in section 1 of this act: *Provided*, That such restriction shall not apply to the transmission of articles, with proper precaution, for the purpose of having the same disinfected.

Sec. 17. No person shall let any room, house, or part of a house, in which there has been a person suffering from tuberculosis or any of the diseases mentioned in section 2 of this act, without having such room, house, or part of a house, and all articles therein, previously disinfected to the satisfaction of the health authorities. The keeping of a hotel, boarding house, or apartment house shall be deemed as letting a part of a house to any person who shall be admitted as a guest into such hotel, boarding house, or apartment house.

Sec. 18. The health authorities of the several townships, boroughs, and cities of this Commonwealth may, and they are hereby authorized and empowered to, establish additional rules and regulations regarding the isolation and quarantine of persons who may be suffering from any of the diseases mentioned in section 1 of this act, and for the destruction, disinfection, and fumigation of bedding, clothing, or other infected articles, and for the disinfection and fumigation of houses and premises, and for the carrying out of the provisions of this act, as they may in good faith declare the public safety and health demand; which rules and regulations they may, from time to time, alter or amend, but in no instance shall such rules abridge in any way the provisions of this act or the regulations of the State department of health.

Sec. 19. In the preparation for burial of the body of any person who has died of Asiatic cholera, glanders (farcy), bubonic plague, smallpox (variola, varioloid), yellow fever, typhus fever, scarlet fever (scarlatina, scarlet rash), relapsing fever, cerebrospinal meningitis (epidemic cerebrospinal fever, spotted fever), diphtheria (diphtheritic croup, membranous croup, putrid sore throat), tetanus, or leprosy it shall be the duty of the undertaker, or person acting as such, to thoroughly disinfect and place such body within the coffin or casket in which it is to be buried within 6 hours after being first called upon to take charge of the same, provided said call is made between the hours



of 5 a. m. and 11 p. m.; otherwise, such body shall be placed in such coffin or casket within 12 hours; the coffin or casket then to be closed tightly, and not again opened unless permission be granted by the health authorities for special and satisfactory cause shown.

SEC. 20. The body of a person who has died of any of the diseases mentioned in section 19 of this act shall not remain unburied for a longer period of time than 36 hours after death, unless special permission be granted by the health authorities extending the time during which said body shall remain unburied, for special and satisfactory cause shown. The undertaker, or person acting as such, shall be responsible for any violation of the provisions of this section.

SEC. 21. All services held in connection with the funeral of the body of a person who has died of any of the diseases mentioned in section 19 of this act shall be private, and the attendance thereat shall include only the immediate adult relatives of the deceased, who may not at the time be under absolute quarantine restrictions, and the necessary number of adult pallbearers, and any advertisement of such funeral shall state the cause of death.

SEC. 22. The body of a person who has died of any of the diseases mentioned in section 19 of this act shall in no instance be taken into any church, chapel, public hall, or public building, for the holding of funeral services. The undertaker, or person acting as such, and the sexton, janitor, or other person having control of such church, chapel, public hall, or public building, shall be responsible for any violation of the provisions of this section.

SEC. 23. No undertaker, or person acting as such, at the funeral or burial of the body of a person who has died of any of the diseases mentioned in section 19 of this act, shall furnish or provide for such funeral or burial more than the necessary number of conveyances for such adult relatives as are mentioned in section 21 of this act, and pallbearers; and all such conveyances shall be fumigated and disinfected, at such time and in such manner as may be directed and required by the health authorities.

SEC. 24. The body of a person who has died of any of the diseases mentioned in section 19 of this act shall not be conveyed from any dwelling, or other building or place, to any cemetery or other point or place, except in a hearse, or other vehicle used for the purpose of carrying corpses only, or in such vehicles as shall be satisfactory to the health authorities, and under such regulations as they may in any case adopt. The undertaker, or person acting as such, having charge of the funeral or transportation of such body, shall be responsible for any violation of the provisions of this section.

SEC. 25. The health authorities of the several cities, boroughs, and townships of the first class, shall, at the end of each week, and for the fraction of each week occurring at the end of each month, report to the State department of health, upon blanks supplied for that purpose, a list of all cases of communicable diseases, mentioned in section 1 of this act, which have been reported to them during said period; which report shall contain the name of each person suffering therefrom, respectively, and his or her age, sex, color, and nativity, together with the name of the disease and the date of the onset thereof; and, in the event of no reports of any of said diseases having been received by the aforesaid health authorities, respectively, during any said period, that fact shall be reported to the State department of health.

SEC. 26. Any person who shall remove, deface, cover up, or destroy, or cause to be removed, defaced, covered up, or destroyed, any placard relating to any of the diseases mentioned in section 2 of this act, shall, for every such offense, upon conviction thereof in a summary proceeding before any magistrate or justice of the peace of the county wherein such offense was committed, be

sentenced to pay a fine of not less than \$10 or more than \$100, to be paid to the use of said county, and costs of prosecution, or to be imprisoned in the county jail for a period of not less than 10 days or more than 30 days, or both, at the discretion of the court. Any person, other than the attending physician or trained nurse, who shall enter or leave any quarantined premises without having secured permission from the health authorities, or who shall violate any of the quarantine restrictions imposed by this act, or by the rules and regulations of the health authorities of any city, borough, or township of the first class, or the rules and regulations of the State department of health; or who shall interfere with a health officer or any other duly qualified agent of the State department of health, or of any local board or department of health, in the discharge of his official duties in the placarding, quarantining, disinfecting, or releasing from quarantine of any premises, or in the investigation of any alleged case of a quarantinable disease, shall, for every such offense, upon conviction thereof in a summary proceeding before any magistrate or justice of the peace of the county wherein said offense was committed, be sentenced to pay a fine of not less than \$50 or more than \$100, to be paid to the use of the said county, and costs of prosecution, or to be imprisoned in the county jail for a period of not less than 10 or more than 30 days, or both, at the discretion of the court.

Any physician, undertaker, teacher of a public school, principal of a school, superintendent of a Sunday school, sexton, janitor, parent, or guardian, or any other person or persons who shall fail, neglect, or refuse to comply with, or who shall violate, any of the provisions of this act, shall, for every such offense, upon conviction thereof in a summary proceeding before any magistrate or justice of the peace of the county wherein said offense was committed, be sentenced to pay a fine of not less than \$20 or more than \$100, to be paid to the use of said county, and costs of prosecution, or to be imprisoned in the county jail for a period of not less than 10 or more than 30 days, or both, at the discretion of the court.

SEC. 27. Section 1 (except the enacting clause thereof) and sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, and 19 of an act entitled "An act to provide for the more effectual protection of the public health in the several municipalities of this Commonwealth," approved June 18, 1895, and the act of May 14, A. D. 1909, entitled "An act to safeguard human life and health throughout the Commonwealth, by providing regulations for the control of certain communicable diseases and the prevention of infection therefrom, and prescribing penalties for violation of said regulations," and all other acts, or parts of acts, inconsistent herewith are hereby repealed.

**Paratyphoid Fever — Occupational Diseases — Notification of Cases. (Reg. Dept. of H., Jan. 14, 1915.)**

Every physician practicing in any portion of this Commonwealth, who shall treat or examine any person suffering from, or afflicted with, paratyphoid fever, anthracosis, arsenic poisoning, brass poisoning, carbon-monoxide poisoning, lead poisoning, mercury poisoning, natural-gas poisoning, phosphorous poisoning, wood alcohol poisoning, naphtha poisoning, bisulphide of carbon poisoning, dinitrobenzine poisoning, caisson disease (compressed-air illness), shall, if said case shall be located in a township of the first class, a borough, or a city, forthwith make a report in writing to the health authorities of said township, city, or borough; and, if said case shall be located in a township of the second class, or a city, borough, or township of the first class not having a board of health or body acting as such, to the State department of health.

**Tuberculosis Sanatoria—Commissioner of Health Authorized to Accept Private Donations for Erection of Union Chapels. (Act No. 262, May 28, 1915.)**

SECTION 1. That the commissioner of health of this Commonwealth be, and he is hereby, authorized and empowered to accept a private donation or private donations for the purpose of erecting union chapels at tuberculosis sanatoria No. 2 and No. 3, situated at Cresson, Cambria County, and at Hamburg, Berks County, Pa., or either of them.

SEC. 2. The said commissioner of health is hereby further authorized and empowered, after receiving sufficient donation or donations for the purpose set forth in section 1 of this act, to have plans and specifications prepared for a building to be used as a union chapel, which said plans and specifications shall be submitted to the governor of this Commonwealth for his consideration and approval; and, upon the approval of plans and specifications for such building by the governor of this Commonwealth and the commissioner of health, to have such a building or buildings erected under said plans and specifications, at a suitable place or places on the property purchased and owned by the Commonwealth for sanatorium purposes at Cresson and Hamburg, or at either place: *Provided, however,* That the entire cost of the construction and equipment of said chapel or chapels shall be covered by the said donation or donations, and no plans shall be prepared or building done until such donation or donations have been received by the commissioner of health.

**County Tuberculosis Hospitals—Indigent Patients—County Commissioners Authorized to Appropriate Money for Maintenance of. (Act No. 103, Apr. 28, 1915.)**

SECTION 1. That whenever there shall have been established, in any poor district of any county of this Commonwealth, a hospital or sanatorium for the treatment therein of indigent persons suffering from tuberculosis, which said hospital or sanatorium has been erected and equipped in accordance with plans and specifications approved by the department of health of the State of Pennsylvania, it shall be lawful for the commissioners of such county, and they are hereby authorized and empowered, to appropriate, out of the funds of such county, to such poor district, so much money as may be necessary for the maintenance of indigent persons, residents of the county, who may be inmates of such hospital or sanatorium and under treatment for tuberculosis.

SEC. 2. That such appropriation shall not exceed for each of such indigent inmates, the sum of \$10 per week, payable every three months, at the end of the period.

SEC. 3. That the commissioners of each county at all times shall have free access to such hospital or sanatoria, for inspection of its management and for ascertainment of the number of indigent persons receiving treatment therein.

**Inmates of Sanatoria, Hospitals, and Other State Institutions—Maintenance by Guardians or Relatives. (Act No. 293, June 1, 1915.)**

SECTION 1. That whenever any person is maintained as an inmate of any hospital, home, sanatorium, or other institution of the Commonwealth, in whole or in part at the expense of the Commonwealth, the property or estate of such person shall be liable for such maintenance, to be paid or recovered as herein-after provided.

SEC. 2. Every trustee, committee, guardian, or other person nominated or appointed to take charge of the estate of any lunatic, feeble-minded, or any

other person, who is an inmate of any home, asylum, or other institution maintained in whole or in part by the Commonwealth, shall, within six months after his appointment, make a true and full report, under oath, to the attorney general, showing the amount and character of said estate, and every year thereafter report to the attorney general what, if any, changes there are in said estate; and every executor or administrator of any deceased inmate of any asylum, home, or institution maintained in whole or in part by the Commonwealth of Pennsylvania, shall, within six months after letters testamentary or of administration have been issued, make a true, full, and complete report, under oath, to the attorney general, of the extent and character of such estate.

SEC. 3. The husband, wife, father, mother, child, or children of any person who is an inmate of any asylum, hospital, home, or other institution, maintained in whole or in part by the Commonwealth of Pennsylvania, and who is legally able so to do, shall be liable to pay for the maintenance of any such person, as hereinafter provided.

SEC. 4. The court of common pleas of the county of the residence of any inmate of any home, hospital, asylum, or other institution maintained in whole or in part by the Commonwealth of Pennsylvania, shall have power, upon the application of the attorney general, to make an order for the payment of maintenance to the Commonwealth, upon the trustee, committee, guardian, or other person who has charge of the estate of any such inmate, or against the father, wife, mother, child, or children of any person so maintained; and any order made against the husband, wife, father, mother, child, or children shall be in such amount as the court, in its discretion, deems proper, taking into consideration their ability to pay for said maintenance, and said court may also, upon like application, direct any trustee, committee, guardian, or other person having charge of any such estate, to file with the attorney general the statement required by the second section of this act.

SEC. 5. The sworn statement of the superintendent, steward, or other person, in whose custody are kept the records of any hospital, home, asylum, or other institution wherein persons are maintained in whole or in part at the expense of the Commonwealth, shall be received as prima facie evidence, in any court of this Commonwealth, of the amount expended by the Commonwealth for the support or maintenance of any such person, in any proceeding brought to recover the amount of such maintenance.

SEC. 6. All claims by the Commonwealth for maintenance, as herein provided, in the distribution of any of the estate of any person so maintained, shall take precedence and be paid after other claims which by law are now given precedence, and before any claims of general creditors.

SEC. 7. Where there is a claim against the estate of any person maintained in any home, hospital, asylum, or other institution, both on behalf of the Commonwealth and on behalf of any county or poor district, and there is not sufficient in the estate to pay the claim in full, the same shall be paid pro rata to the State and the county, in the proportion of the amount of maintenance legally recoverable by each.

SEC. 8. This act of assembly is intended to apply to the collection of claims for maintenance due to the Commonwealth at the time of its passage as well as those to become due hereafter.

#### **Boards of Health—Local—Powers and Duties. (Act No. 52, Apr. 14, 1915.)**

SECTION 1. That the sixth section of an act, approved the 12th day of June, 1913, entitled "An act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class, and defining

their powers and duties; providing for the appointment of members of such boards of health by the president of the borough councils or by the chairman of the board of commissioners of such townships; providing for the election of a secretary and a health officer; providing that the commissioner of health may take charge of the administration of health laws in any borough or township of the first class, when conditions therein, in his opinion, constitute a menace to the lives or health of the people living outside the corporate limits of such borough or township of the first class, or when it may be known to him that such borough or township of the first class is without an existing or efficient board of health; and providing the manner in which the expenses of boards of health or of the commissioner of health, incurred in administering health laws in any borough or township of the first class, shall be paid," which reads as follows:

"Sec. 6. The said board of health shall have the power and it shall be their duty, to enforce the laws of the Commonwealth, the regulations of the State department of health, and such further regulations as the board may see fit to adopt for the control of communicable disease and the prevention of infections therefrom. They shall also have power, with the consent of councils, in case of a prevalence, or apprehend prevalence, of any contagious or infectious diseases in their borough or township, to establish one or more emergency hospitals and to make provisions and regulations for the management of the same," is hereby amended to read as follows:

Sec. 6. The said board of health shall have the power, and it shall be their duty, to enforce the laws of the Commonwealth, the regulations of the State department of health, and to make and enforce such additional rules and regulations to prevent the introduction and spread of infectious or contagious diseases, by the regulation of intercourse with infected places, by the separation of infected persons, and persons who shall have been exposed to any infectious or contagious disease, and by abating and removing all nuisances which they shall deem prejudicial to the public health; to mark infected houses or places, to prescribe rules for the construction and maintenance of house drains, wash pipes, soil pipes, and cesspools; and to make all such other rules and regulations as they shall deem necessary for the preservation of the public health. They shall also have power, with the consent of councils or township commissioners, in case of a prevalence or apprehended prevalence of any contagious or infectious diseases in their borough or township, to establish one or more emergency hospitals, and to make provisions and regulations for the maintenance and management of the same.

The board shall also have the power to make, enforce, and cause to be published, all necessary rules and regulations for carrying into effect the powers and functions with which they are invested by law, and the power and authority relating to the public health conferred on the boroughs and townships of the first class. Such rules and regulations, when approved by the borough council and burgess or by the township commissioners, as the case may be, and when advertised in the same manner as other ordinances, shall have the force of ordinances of the borough or township, respectively; and all penalties or punishment prescribed for the violation thereof, as well as the expenses actually and necessarily incurred in carrying such rules and regulations into effect, shall be recoverable, for the use of the borough or township, respectively, in the same manner as penalties for violation of the ordinances of the borough or township, and subject to the like limitations as to the amount thereof.

**Nurses—Registration—Certificate—Duplicate to be Filed in Office of State Commissioner of Health. (Act No. 358, June 4, 1915.)**

SEC. 1. That section 4 of the act, entitled "An act to provide for State registration of nurses, to establish a State board of examiners in connection therewith, and to provide penalties for the violation of certain provisions regarding such registration," approved the 1st day of May, 1909, which reads as follows:

"SEC. 4. The secretary, immediately upon the registration of every nurse, shall file in the office of the secretary of the Commonwealth, under the seal of the said board of examiners, an exact counterpart of the certificate issued to the holder thereof; and said counterpart shall be filed and indexed in the office of the secretary of the Commonwealth and kept by him for public inspection and information. If the secretary of the board neglect to file said counterpart, as aforesaid, for more than 20 days from the date of issue of the corresponding certificate, unless prevented therefrom by sickness or other unavoidable inability, the said secretary shall be held guilty of a breach of duty and shall forfeit his or her membership and his or her offices in the said board of examiners," is hereby amended to read as follows:

SEC. 4. The secretary, immediately upon the registration of every nurse, shall file in the office of the *State commissioner of health*, under the seal of the said board of examiners, an exact counterpart of the certificate issued to the holder thereof; and said counterpart shall be filed and indexed in the office of the *State commissioner of health*, and kept by him for public inspection and information. If the secretary of the board neglect to file said counterpart, as aforesaid, for more than 20 days from the date of issue of the corresponding certificate, unless prevented therefrom by sickness or other unavoidable inability, the said secretary shall be held guilty of a breach of duty and shall forfeit his or her membership and his or her offices in the said board of examiners.

*The nurses' registration records now in the office of the secretary of the Commonwealth shall, upon the approval of this amendment, be transferred to the office of the commissioner of health.*

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**Milk and Cream—Sale of—Penalty for Violation of State Law—Prosecutions. (Act No. 337, June 2, 1915.)**

SECTION 1. That the third section of an act approved the 8th day of June, 1911, entitled "An act relating to milk; providing for the protection of the public health, and the prevention of fraud and deception, by regulating the sale of milk, skimmed milk, and cream; providing penalties for the violation thereof; and providing for the enforcement thereof," which reads as follows:

"SEC. 3. That any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to pay a fine of not less than \$25 nor more than \$50, or imprisonment for not less than 30 days nor more than 90 days, or either or both, at the discretion of the court," is amended to read as follows:

"SEC. 3. That any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine of not less than \$25 nor more than \$50, or imprisonment for not less than 30 days nor more than 90 days, or either or both, at the discretion of the court.

"If a person accused of violating section 1 of this act shall furnish satisfactory affidavit that nothing has been added to or taken from the milk in question, which is otherwise pure and wholesome, and is not below 3 per cent of butter fat, the dairy and

food commissioner shall file said affidavit with the record; and no prosecution shall be instituted against said person. This provision shall not apply to or in any way affect samples of milk purchased or obtained prior to the approval of this act."

**Meat and Meat Products—Manufacture, Care, and Sale. (Act No. 255, May 28, 1915.)**

SECTION 1. That the terms "meat" and "meat food products," wherever used in this act, shall include the carcasses or parts of carcasses of cattle, sheep, other ruminants, and swine, and the meat of such animals and the meat food products of such animals.

SEC. 2. The term "unwholesome," as used in this act, shall be understood to include all meats or meat food products which are diseased, contaminated, putrid, unsound, unhealthful, or unfit for food.

SEC. 3. The word "establishment," as used in this act, shall include (1) any building or structure in which slaughtering, butchering, meat canning, meat packing, meat manufacturing, or rendering, is carried on; and (2) the ground upon which such building or structure is erected, and so much ground adjacent thereto as is used in carrying on the business of such establishment; and (3) any place or any vehicle where meat or meat food products are prepared, manufactured, stored, sold, offered for sale, exposed for sale, or transported by land or by water.

SEC. 4. The word "equipment," as used in this act, shall include all machinery, fixtures, containers, vessels, tools, implements, and apparatus used in and about an establishment.

SEC. 5. The word "person" shall include individuals, partnerships, corporations, and associations. Masculine words shall include the feminine or neuter. The singular shall include the plural.

The word "board" shall mean the "State live-stock sanitary board."

SEC. 6. Every establishment, including all equipment therein or thereon, shall be kept in a clean and sanitary condition.

SEC. 7. It is unlawful to feed offal, blood, or slaughterhouse refuse to swine within 200 feet of an establishment other than a vehicle.

SEC. 8. It is unlawful to manufacture for food, prepare for food, sell, offer for sale, expose for sale, or have in one's possession for the purpose of sale any unwholesome meat or unwholesome meat food product.

SEC. 9. It is unlawful in an establishment to permit any meat or meat food product to be touched or handled by any person other than the owner, lessee, or manager of an establishment, or other than the agent or employee of such owner, lessee, or manager, or to permit any meat or meat food product to be exposed to insects, animals, or fowls.

SEC. 10. It is unlawful to sell, offer for sale, or to expose for sale any meat or meat food product from swine to which have been fed any carrion.

SEC. 11. The board, in enforcing the provisions of this act, may appoint employees of the United States Department of Agriculture engaged in the examination of animals, meats, or meat food products as agents under the provisions of this section, who shall receive no compensation as such agents.

In addition to the agents provided for above in this section, the board may, in enforcing this act, assign any employee of the board to perform duties as agent under this act.

Each employee assigned to serve as agent under this act shall have knowledge of the diseases of meat-producing animals and shall be versed in the conditions that affect the wholesomeness of animal food products. An appropriate standard of fitness for such agents shall be maintained by the board.

The appointment, qualifications, powers, and duties of each such agent shall be governed by the provisions of this act, and by such rules and regulations for the enforcement of this act as may be adopted and promulgated by the board. Each such agent may be dismissed at any time by the board.

SEC. 12. Any duly authorized agent or employee of the board may at any time enter any establishment and examine the same, to ascertain whether the provisions of this act are being observed.

SEC. 13. It is unlawful to hinder, impede, or prevent any duly authorized agent or employee of the board from entering any establishment in the performance of his duty, or from making any examination duly ordered in enforcing this act.

SEC. 14. Any agent authorized under this act to examine may, under the rules and regulations prescribed by the board, mark, stamp, or otherwise designate any animal or meat or meat food product found on examination to be wholesome and fit for food.

SEC. 15. If, upon examination of any establishment, any diseased animal, or any unwholesome meat, or any unwholesome meat food product is found, such animal or meat or product shall be condemned, properly marked or designated, and treated in such a way that it can not thereafter be used for food.

SEC. 16. If, upon examination, it is found that any establishment, or any part of an establishment, or any equipment, is in an unclean or insanitary condition, or is being conducted or used in such a manner as to make it probable that the meat or meat food products therein or produced therein may be rendered unwholesome, or is being conducted or used in violation of this act, the agent making such examination shall report the unlawful condition to the board, and shall at the same time notify, in writing, the owner, lessee, or manager of the establishment.

Upon receipt of such report the board, by its executive officer or otherwise as it may direct, shall notify the proper owner, lessee, or manager of the result of the examination, and direct that the unlawful condition be remedied within the time specified in the notice: *Provided*, That the time so specified shall be not less than 24 hours, unless the unlawful condition mentioned in said notice is of such character and nature as, in the opinion of the board, its executive officer, or its agent, can be removed immediately.

If upon the expiration of the time specified in the notice the condition so reported to exist shall not have been remedied, the board, by its executive officer, may order the establishment closed. It is unlawful to operate an establishment, or any part thereof, which has been closed by order of the executive officer of the board until the unlawful condition reported to exist has been remedied to the satisfaction of said officer of the board.

The closing of an establishment, or any part thereof, shall not preclude prosecution for violation of this act.

SEC. 17. It is unlawful for any agent of the board, or any special meat hygiene agent—

1. To approve or pass any diseased animal intended to be slaughtered for food, or any unwholesome meat, or any unwholesome meat food product.

2. To fail to condemn and mark, and cause to be rendered unfit for food, any diseased animal, unwholesome meat, or unwholesome meat food product found on examination of an establishment to be unfit for food.

3. To fail to report as required any violation of this act.

4. Directly or indirectly to accept or agree to accept anything of value, monetary or otherwise, given or offered to such agent to influence him in the discharge of his duties.

SEC. 18. It is unlawful to give or offer to give, directly or indirectly, to an agent or employee of the board, or to a special meat hygiene agent, anything of value, monetary or otherwise, with intent to influence such agent or employee in the discharge of his duties under the provisions of this act.



SEC. 19. It is unlawful to make, imitate, duplicate, reproduce, or counterfeit any stamp, mark, tag, certificate, or emblem used, or authorized by the board to be used, for marking or designating animals or meat or meat-food products that have been either approved or condemned under the provisions of this act.

It is unlawful, without specific authority in writing from the board, to use for any purpose any such stamp, mark, tag, certificate, or emblem.

SEC. 20. This act shall be enforced by the board. To that end it may adopt and promulgate such rules and regulations as it may deem necessary. So far as practicable the regulations of the meat hygiene service of the United States Department of Agriculture shall be included in the rules and regulations of the board.

SEC. 21. Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding \$500 or to undergo an imprisonment not exceeding one year, or both. If the violation shall be by a corporation, partnership, or association, the directors of such corporation or the members of such partnership or association, its agents or employees, with guilty knowledge of the fact, shall also be guilty of a misdemeanor, and on conviction thereof shall be punished as aforesaid.

The fines imposed as aforesaid shall be for the use of the Commonwealth, shall be paid to a duly authorized agent of the board, and shall be by the board paid into the State treasury.

SEC. 22. Any duty imposed upon, or power given to, the board by this act, may be done or exercised as the board may, by standing or special order, direct.

SEC. 23. The act approved the 25th day of May, 1907, entitled "An act to protect the public health by providing for the prevention of the preparation and sale of meat and food products which are unsound, unhealthful, unwholesome, and otherwise unfit for human food; defining what shall be regarded as meat and meat-food products; authorizing the appointment and compensation of local meat inspectors; authorizing the State live stock sanitary board to enforce the provisions of this act, to make rules and regulations for its enforcement, and to appoint agents to assist in its enforcement; and to provide penalties for the violation or perversion hereof" (pamphlet laws, 234), and the act approved the 7th day of May, 1855, entitled "An act to prohibit the sale of unwholesome meats" (pamphlet laws, 463), are hereby specifically repealed.

Section 69 of the act approved the 31st day of March, 1869, entitled "An act to consolidate, revise, and amend the penal laws of this Commonwealth," is hereby repealed in so far as it refers to the flesh of any diseased animal or any unwholesome flesh.

#### **Foodstuffs—Protection of. (Reg. Dept. of H., Jan. 14, 1915.)**

No firm, person, or corporation shall expose for sale on any sidewalk or pavement or other exposed place any fruit, vegetables, or other articles of food which are eaten uncooked, unless such fruit, vegetables, or other articles of food are thoroughly screened and protected from flies and unless they are on elevated stands at least 24 inches above the level of the sidewalk or pavement.

#### **Public Eating Places—Diseased Employees—Utensils—Common Towels and Common Drinking Cups. (Act 281, May 28, 1915.)**

SECTION 1. That no person or persons, firm, corporation, or common carrier operating or conducting any hotel, restaurant, dining car, or other public eating place in this Commonwealth shall hereafter employ or keep in their employ, in the capacity of cook, waiter, chambermaid, kitchen help, or other house servant, any person or persons who is or are suffering from trachoma, active tuberculosis of the lungs, open skin tuberculosis, syphilis, gonorrhea, open external cancer, or barber's itch; and all persons so employed who, at the time of the passage of this act, are suffering from any of the said diseases shall at

once be excluded from such employment in such hotel, restaurant, dining car, or other public eating place.

SEC. 2. If any person or persons, firm, corporation, or common carrier operating or conducting a hotel, restaurant, dining car, or other public eating place shall institute and maintain a medical inspection for their cooks, waiters, chambermaids, kitchen help, and other house servants at intervals of at least twice a year for the purpose of excluding from such employment persons found to be suffering from any of the diseases mentioned in section 1 of this act, and shall thereupon promptly exclude from such employment any person or persons found to be so suffering, they shall be considered as complying with the provisions of section 1 of this act, unless (1) any person or persons employed in any such capacity after the passage of this act shall have been suffering from any of the diseases mentioned in section 1 of this act at the time when they were so employed; or unless (2) the diseased condition of such employee suffering with any of the diseases mentioned in section 1 of this act is manifest in the interim between such inspections; or unless (3) notice of the diseased condition of any such employee suffering from any of the diseases mentioned in section 1 of this act has been served, in writing, upon the owner, operator, or manager of any such hotel, restaurant, dining car, or other public eating place by a physician or by the health authorities.

SEC. 3. That no person or persons, firm, or corporation operating or conducting any hotel, restaurant, dining car, or other public eating place in this Commonwealth shall keep in their employ in any of the several capacities mentioned in section 1 of this act any person who is a carrier of typhoid fever, after notice that any person so employed by them is a carrier of typhoid fever has been served, in writing, upon the owner, operator, or manager of any such hotel, restaurant, dining car, or other public eating place by a physician or the health authorities.

SEC. 4. That no person or persons, firm, or corporation operating or conducting any hotel, restaurant, dining car, or other public eating place in this Commonwealth shall furnish to their patrons or customers any dish or other receptacle or utensil used in eating or drinking which has not been thoroughly cleansed since it was used by another individual.

SEC. 5. That no person or persons, firm, or corporation operating or conducting any hotel, restaurant, dining car, or other public eating place, and having and maintaining in connection therewith any wash room for public use or for the use of their patrons or customers, shall furnish in such wash room any towel, unless such towel be laundered or discarded after each individual use.

SEC. 6. That no person or persons, firm, or corporation operating or conducting any hotel, restaurant, dining car, or other public eating place shall furnish or keep in or about such establishment at any drinking fountain or public drinking place to which the public or their customers or patrons have access any common drinking vessel for common use: *Provided*, That this section shall not preclude the use of vessels which are cleansed by washing with hot water and soap or are disinfected or destroyed after each individual use.

SEC. 7. That any person or persons, firm, or corporation who shall violate any of the provisions of this act shall, upon conviction thereof in a summary proceeding before any justice of the peace or alderman in the county in which the offense was committed, be sentenced to pay a fine of not less than \$5 or more than \$100, to be paid to said county, and the costs of prosecution, or to be imprisoned in the county jail for a period of not more than 30 days, or both, at the discretion of the court.

**Water—Certain Cities Authorized to Supply Other Municipalities in Same County. (Act No. 22, Mar. 31, 1915.)**

SECTION 1. That all cities of the third class wherein the title to the waterworks therein located is in the name of the city, shall have the right, and are hereby authorized and empowered, to extend the water pipes and improvements of any such waterworks, beyond the bounds of the cities wherein they are located, into the county and municipalities of the county in the vicinity of such cities; and to furnish water to any and all corporations, institutions, persons, and municipalities in the counties in which said cities are located, under and in pursuance of the laws, rules, and regulations now existing or to be hereafter enacted governing cities of the third class. This section does not authorize a city of the third class to extend water pipes or supply water in territory outside the boundaries of such cities, which territory is being supplied with water by a private company.

**Water Supplies—Certain Townships Authorized to Arrange for, with Other Municipalities. (Act No. 38, Apr. 9, 1915.)**

SECTION 1. That any township of the first class is empowered to contract with any adjoining municipality, owning a waterworks system, for a supply of water for public and private uses, to be delivered into the lines of the township at or near the boundary thereof.

This section does not authorize a contract between a township of the first class and a municipality for the supply of water in territory being supplied by a private company.

SEC. 2. A township making such contract may, by ordinance, provide and regulate and protect a system of distribution of the water. After a certified copy of the plans and surveys for such system, with a description of the sources from which it is proposed to derive the supply, are filed in the department of health, and a written permit for the construction of such system obtained from the commissioner of health, in accordance with the provisions of the act of April 22, 1905, entitled "An act to preserve the purity of the waters of the State for the protection of the public health."

SEC. 3. In providing for regulating and protecting and extending its system of distribution of water, the township may occupy public highways; and may take, injure, or destroy private property, compensation for which taking, injury, or destruction to be made or secured as hereinafter in this act provided. No highway under the jurisdiction of the State highway department shall be occupied until a permit therefor has been obtained from the State highway department. Property belonging to or used as a cemetery, or a place of public worship, or any public or parochial school, or other educational or charitable institution or seminary, shall not be taken, injured, or destroyed by virtue of this act.

SEC. 4. If the compensation and damages arising from such taking, injury, or destruction of private property can not be agreed upon, the township may tender its bond as security to the party claiming or entitled to any damages, or to the attorney or agent of any absent person, or to the agent or other officer of a corporation, or to the guardian or committee of any person under legal incapacity. The condition of the bond shall be, that the township shall pay, or cause to be paid, such amount of damages as the party shall be entitled to receive, after the same shall have been agreed upon or assessed in the manner provided in this act. In case the party or parties claiming damages refuse or do not accept the security so tendered, the township shall then give the party,

his or their agent, attorney, guardian, or committee at least 10 days' written notice of the time when the same will be presented to the court of common pleas for approval. Thereafter the township may present its bond to the court and when approved the said bond shall be filed in court for the benefit of those interested; and recovery may be had thereon for the amount of damages finally determined if the same be not paid or can not be made by execution on the judgment in the issue formed to try the question; and upon the approval of said security the township may enter into possession, take, hold, use, and enjoy said land for the purpose aforesaid forever.

SEC. 5. In case the compensation or damages accruing from such taking, injury, or destruction has not been agreed upon by the parties in interest, the court of common pleas, or any law judge thereof in vacation, on application thereto by the township or any person interested in such property, shall appoint three members of the board of viewers of the county as a board of view, and appoint a time, not less than 10 nor more than 20 days thereafter, when the board of view shall meet upon the property and view the same and the premises affected thereby. The board of view shall give at least 5 days' personal notice of the time of their first meeting, upon the owners, agents, attorneys, or representatives thereof, if the same reside within the county; otherwise, by handbills posted upon the premises, or by such other notice as the court shall direct. The board of view, having been duly sworn or affirmed faithfully, justly, and impartially to decide and true report to make concerning all matters and things submitted to them in relation to which they are authorized to inquire under the provisions of this act; and having viewed the premises or examined the property, shall hear all parties interested and their witnesses; and, having due regard to the advantages and disadvantages, shall estimate and determine the damages for the property taken, used, or appropriated, and to whom the same are payable. They shall give at least 10 days' notice thereof, in the manner herein provided, to all parties interested, of the time and place when the board of view will meet and exhibit said report and hear any exceptions thereto. After making whatever changes are deemed necessary and proper, the board of view shall make report to the court, showing the damages, if any are allowed; and file therewith a plan showing the properties taken, injured, or destroyed, and the names of the persons to whom such damages are payable.

SEC. 6. When the report of the board of view, or any two of them, is filed in court, any party may, within 30 days thereafter, file exceptions to the same; and the court may confirm the report, or modify, change, or otherwise correct it, or refer it back to the same or new viewers, with like power as to their report. Or within 30 days from the filing of any report in court, any party whose property is so taken, used, or appropriated may appeal to the court of common pleas of the county and demand a trial by jury. Any party interested therein may, within 30 days after final decree, have an appeal to the superior or the supreme court. If no exceptions are filed or no demand made for trial by jury within the said 30 days after the filing of said report, the same shall become absolute. The court may order what notices shall be given in connection with any part of said proceedings, and may make all such orders as it may deem requisite.

SEC. 7. The board of view provided for in this act may be appointed before or at any time after the entry, taking, or appropriation of any property to be used for the purpose aforesaid. They shall have power to administer oaths and adjourn their hearings from day to day as they may find necessary.

SEC. 8. The costs of the board of view, and all court costs incurred in the proceedings, including advertising and printing and posting notices, shall be defrayed by the township.

SEC. 9. All damages, when determined, shall be assessed against and paid by the township so taking, injuring, or destroying the property as aforesaid.

**Alcohol and Drug Addicts—Commitment of. (Act No. 54, Apr. 14, 1915.)**

SECTION 1. That the word "inebriate," used in this act, means a person habitually so addicted to the use of alcohol or narcotic drugs as to be a proper subject for restraint, care, and treatment.

SEC. 2. Upon petition of two citizens, who shall be either the wife, husband, parent, child, committee of the estate of an inebriate, or next friends of such person, the court of quarter sessions shall issue its warrant requiring the inebriate, on a day fixed, to be brought into court for a hearing. The petition shall not be considered unless it sets forth that the person named therein is an inebriate within the scope of this act, and unless it be accompanied by the affidavit or affidavits of at least two reputable physicians, stating that they have examined the alleged inebriate and that he is a proper subject for restraint, care, and treatment.

SEC. 3. If, after such hearing, the court is satisfied that the alleged inebriate is a proper subject for restraint, care, and treatment, the court shall commit the inebriate to the State institution for inebriates for such period as it may deem advisable under the circumstances which appear before it; but in no case shall the same be for less than 30 days. When so committed the inebriate shall remain in such institution until, on further hearing, the said court shall be of opinion that such restraint, care, and treatment are no longer beneficial to the inebriate; or until the board of trustees or superintendent of the institution shall certify to the said court that restraint, care, and treatment are no longer beneficial or necessary to the inebriate, or that he is cured. Whereupon the court shall order the inebriate to be discharged under such supervision and restriction as the court may impose.

SEC. 4. When, after hearing, an inebriate is committed to the State institution for inebriates, the court shall determine who shall bear the cost and expense of the restraint, care, and treatment of the inebriate while in the institution. The persons who shall bear such cost and expense, if the inebriate is indigent, shall be the wife or husband; and, if the inebriate be a minor, then his father or mother, as the court may direct. No inebriate shall be committed to the institution until the court shall, by order, determine who shall bear such cost and expense; nor until payment therefor be made to the said board of trustees, or security satisfactory to the board be given.

SEC. 5. If at such hearing the court finds that the inebriate is indigent, and that the wife, husband, or parent is unable to pay the cost and expense of the restraint, care, and treatment in the institution, it shall so certify in the order committing the inebriate.

The cost and expense of restraint, care, and treatment of indigent inebriates in the institution shall be borne and paid by the county from which the inebriate is committed; overhead charges by the State.

SEC. 6. Any inebriate, or any person addicted to the use of alcohol or drugs, who wishes to submit himself for care and treatment in the institution may be received therein as a patient. He shall be detained therein and given adequate care and treatment. Such detention shall not extend more than 10 days after he has signified in writing his intention or desire of leaving the institution. Admission of such patients shall be under such conditions, not inconsistent herewith, as may be imposed by the board of trustees.

SEC. 7. If any inebriate at the time of his commitment is engaged in any business, or is possessed of an estate that requires supervision and attention, the court is hereby empowered, on the petition of his or her husband or wife, father or mother, or child, to appoint a committee to supervise his business or care for his estate during the period he may be confined in the institution, under such conditions and order as the court

may see fit to impose, the committee to continue to act until discharged by the court.

SEC. 8. The court committing the inebriate is hereby empowered to direct payment to be made for the cost and expense of his restraint, care, and treatment while in the institution, by the inebriate or by person or persons who were directed to bear the liability at the time of his commitment out of his, her, or their property, and to enforce the payment of the same by execution or otherwise.

**Births and Deaths—Registration of. (Act No. 402, June 7, 1915.)**

SECTION 1. That it shall be the duty of the State department of health to have charge of the State system of registration of births, deaths, marriages, and disease; to prepare the necessary methods, forms, and blanks for obtaining and preserving such records and to insure the faithful registration of the same in the townships, boroughs, cities, counties, and in the central bureau of vital statistics at the capitol of the State. The said department shall be charged with the uniform and thorough enforcement of the law throughout the State, and shall, from time to time, recommend any additional forms and amendments that may be necessary for this purpose.

SEC. 2. That the commissioner of health, of the State department of health, shall have general supervision over the central bureau of vital statistics, which is hereby authorized to be established by said department, and which shall be under the immediate direction of the State registrar of vital statistics, whom the said commissioner of health shall appoint, and who shall be a medical practitioner of not less than 10 years' practice in his profession, and a competent vital statistician. The term of appointment of the State registrar of vital statistics shall be 4 years, beginning with the 1st day of January, 1913, and any vacancy occurring in the office of the State registrar of vital statistics shall be filled by appointment of the said commissioner of health. The State registrar of vital statistics shall receive a salary of \$4,000 per annum. The State department of health shall provide for such clerical and other assistance as may be necessary for the purposes of this act, and may fix the compensation of persons thus employed within the amount appropriated therefor by the legislature. Suitable apartments shall be provided for the State bureau of vital statistics in the State capitol at Harrisburg, which shall be properly equipped with fire-proof vault and filing cases for the permanent and safe preservation of all records made and returned under this act.

SEC. 3. That, for the purposes of this act, the State shall be divided into registration districts as follows: Each city, borough, and township shall constitute a primary registration district, but two or more primary registration districts may be united into one registration district.

SEC. 4. That the commissioner of health shall appoint a local registrar of vital statistics for each registration district of the State. The term of office of local registrars shall be for four years, beginning with the 1st day of January, of the year 1913, and their successors shall be appointed at least 10 days before the expiration of their term of office: *Provided, however,* That all local registrars now serving under appointment of the commissioner of health shall continue to serve until the expiration of their term for which they have been appointed. Any local registrar appointed by the said commissioner of health who fails or neglects to efficiently discharge the duties of his office, or who fails to make prompt and complete returns of births and deaths as required hereby, shall be forthwith removed from his office by the said commissioner of health, and his successor appointed, in addition to any other penalties that may be imposed under other sections of this act, for failure or neglect to perform

his duty. Each local registrar appointed by the commissioner of health shall, immediately upon his acceptance of appointment as such, appoint a deputy whose duty it shall be to act in his stead in case of absence, illness, or disability, and who shall accept such appointment in writing, and who shall be subject to all rules and regulations governing the actions of local registrars; and when it may appear necessary for the convenience of the people in any township, a local registrar is hereby authorized, with the approval of the State registrar, to appoint one or more suitable and proper persons to act as subregistrars who shall be authorized to receive certificates and to issue burial or removal permits in and for such portions of the township as may be designated; and each sub-registrar shall note, over his signature, the date on which each certificate was filed, and forward all certificates to the registrar of the township within 10 days, and in all cases before the 3d day of the following month: *Provided*, That all subregistrars shall be subject to the supervision and control of the State registrar, and may be by him removed for neglect or failure to perform their duties in accordance with the provisions of this act or the rules and regulations of the State registrar, and they shall be liable to the same penalties for neglect of duties as the local registrar.

SEC. 5. That the body of any person whose death occurs in the State shall not be interred, deposited in a vault or tomb, cremated, or otherwise disposed of, or removed from or into any registration district, until a permit for burial, removal, or other disposition shall have been properly issued by the local registrar of the registration district in which the death occurs. And no such burial or removal permit shall be issued by any registrar until a complete and satisfactory certificate of death has been filed with him as hereinafter provided: *Provided*, That when a dead body is transported by common carrier into a registration district in Pennsylvania for burial, then the transit and removal permit issued in accordance with the law and health regulations of the place where the death occurred, when said death occurs outside of the State of Pennsylvania, shall be accepted by the local registrar of the district, into which the body has been transported for burial or other disposition, as a basis upon which he shall issue a local burial permit in the same way as if the death occurred in his district, but shall plainly enter upon the face of the burial permit the fact that it was a body shipped in for interment, and give the actual place of death; but a burial permit shall not be required from the local registrar of the district in which interment is to be made when a body is removed from one district in Pennsylvania to another district in the State, for purpose of burial or other disposition, either by common carrier, hearse, or other conveyance, and no local registrar shall, as such, require from undertakers or persons acting as undertakers, any fee for the privilege of burying dead bodies.

SEC. 6. That stillborn children, or those dead at birth, shall be registered as births and also as deaths, and a certificate of both the birth and the death shall be filed with the local registrar in the usual form and manner; the certificate of birth to contain, in place of the name of the child, the word "stillbirth." The medical certificate of the cause of death shall be signed by the attending physician, if any, and shall state the cause of death as "stillborn," with the cause of the stillbirth, if known, whether a premature birth, and, if born prematurely, the period of uterogestation in months, if known, and a burial or removal permit in usual form shall be required. Midwives shall not sign certificates of death for stillborn children; but such cases and stillbirths occurring without attendance of either physician or midwife shall be treated as deaths without medical attendance, as provided for in section 8 of this act.

SEC. 7. That the certificate of death shall contain the following items:

(1) Place of death, including State, county, township, borough, or city. If in a borough or city, the ward, street, and house number. If in a hospital or other institution, the name of the same to be given instead of the street and the house number. If in an industrial camp, the name to be given.

(2) Full name of decedent. If an unnamed child, the surname preceded by "unnamed."

(3) Sex.

(4) Color or race; as, white, black (negro or negro descent), Indian, Chinese, Japanese, or other.

(5) Conjugal condition; as, single, married, widowed, or divorced.

(6) Date of birth, including the year, month, and day.

(7) Age in years, months, and days.

(8) Place of birth, State or foreign country.

(9) Name of father.

(10) Birthplace of father, State or foreign country.

(11) Maiden name of mother.

(12) Birthplace of mother, State or foreign country.

(13) Occupation. The occupation to be reported of any person who had any remunerative employment, women as well as men.

(14) Signature and address of informant.

(15) Date of death, including the year, month, and day.

(16) Statement of medical attendance on decedent, fact and time of death, including the time last seen alive.

(17) Cause of death, including the primary and immediate causes, and contributory causes or complications, if any, and duration of each.

(18) Signature and address of physician or official making the medical certificate.

(19) Special information concerning deaths in hospitals and institutions and of persons dying away from home, including the former or usual residence, length of time, and place of death, and place where the disease was contracted.

(20) Place of burial or removal.

(21) Date of burial or removal.

(22) Signature and address of undertaker.

(23) Official signature of registrar, with date when certificate was filed, and registered number.

The personal and statistical particulars (items 1 to 13) shall be authenticated by the signature of the informant, who may be any competent person acquainted with the facts.

The statement of facts relating to the disposition of the body shall be signed by the undertaker or person acting as such.

The medical certificate shall be made and signed by the physician, if any, last in attendance on the deceased, who shall specify the time in attendance, the time he last saw the deceased alive, and the hour of the day at which death occurred. And he shall further state the cause of death so as to show the course of disease, or sequence of causes resulting in death, giving the primary and immediate causes, and also the contributory causes, if any, and the duration of each. Indefinite and unsatisfactory terms, indicating only symptoms of disease or conditions resulting from disease, will not be held sufficient for issuing a burial or removal permit; and any certificate containing only such terms as defined by the State registrar shall be returned to the physician for correction and definition. Causes of death which may be the result of either disease or violence shall be carefully defined; and, if from violence, its nature shall be stated, and whether (probably) accidental, suicidal, or homicidal.



And in case of deaths in hospitals, institutions, or away from home, the physician shall furnish the information required under this head (item 19), and shall state where, in his opinion, the disease was contracted.

SEC. 8. That in case of any death occurring without medical attendance, it shall be the duty of the undertaker to notify the registrar of such death and, when so notified, the registrar shall inform the local health officer, and refer the case to him for immediate investigation and certification prior to issuing the permit: *Provided*, That when the local health officer is not a qualified physician, or when there is no such official, and in such cases only, the registrar is authorized to make the certificate and return from the statement of relatives or other persons having adequate knowledge of the facts: *Provided further*, That if the circumstances of the case render it probable that the death was caused by unlawful or suspicious means, the registrar shall then refer the case to the coroner for his investigation and certification. And in the city and county of Philadelphia it shall be the duty of the coroner to hold an inquest on the body of any deceased person who shall have died a violent death, or whose death shall be sudden, if said sudden death shall be after an illness of less than 24 hours, and no physician shall have been in attendance within said time, or if suspicious circumstances shall render the same necessary, which said suspicion shall first be sworn to by one or more citizens of said city. And any coroner whose duty it is to hold an inquest on the body of any deceased person, and to make the certificate of death required for a burial permit, shall state in his certificate the nature of the disease or the manner of death; and if from external causes or violence, whether (probably) accidental, suicidal, or homicidal, as determined by the inquest, and shall, in either case, furnish such information as may be required by the State registrar to properly classify the death.

SEC. 9. That the undertaker, or person acting as undertaker, shall be responsible for obtaining and filing the certificate of death with the local registrar of the district in which the death occurred, and securing a burial or removal permit prior to any disposition of the body. He shall obtain the personal and statistical particulars required from the person best qualified to supply them, over the signature and address of his informant. He shall then present the certificate of the attending physician, if any, or to the health officer or coroner, as directed by the local registrar, for the medical certificate of the cause of death and other particulars necessary to complete the record as specified in section 8. He shall then state the facts required relative to the date and place of burial over his signature and with his address, and present the completed certificate to the local registrar who will issue a permit for burial, removal, or other disposition of the body. The undertaker shall deliver the burial permit to the sexton, or other person in charge of the place of burial, before interring or otherwise disposing of the body, or shall attach the transit permit containing the registrar's removal permit to the box containing the corpse when the same is to be shipped by any transportation company, which permit shall accompany the corpse to its destination, and if the same be within the State of Pennsylvania, it shall be delivered to the sexton or other person in charge of the place of burial.

SEC. 10. That if the interment or other disposition of the body is to be made within the State, the wording of the burial permit may be limited to a statement by the registrar, and over his signature, that a satisfactory certificate of death having been filed with him as required by law, permission is granted to inter, remove, or otherwise dispose of the deceased, stating the name, age, sex, cause of death, and other necessary details upon the form prescribed by the State registrar.

SEC. 11. That no sexton, or person in charge of any premises in which interments are made, shall inter or permit the interment or other disposition of any body unless it is accompanied by a burial removal or transit permit as herein provided; and each sexton, or person in charge of any burial ground, shall indorse upon the permit the date of interment, over his signature, and shall return all permits so indorsed to the local registrar of his district within 10 days from the date of interment. He shall also keep a record of all interments made in the premises under his charge, stating the name of the deceased person, place of death, date of burial, and name and address of the undertaker, which record shall at all times be open to public inspection.

SEC. 12. That all births that occur in the State shall be immediately registered in the districts in which they occur, as hereinafter provided.

SEC. 13. That it shall be the duty of the attending physician or midwife to file a certificate of birth, properly and completely filled out, giving all of the particulars required by this act, with the local registrar of the district in which the birth occurred, within 10 days after the date of birth; and if there be no attending physician or midwife, then it shall be the duty of the father or mother of the child, householder, or owner of the premises, manager or superintendent of public or private institution in which the birth occurred, to notify the local registrar within 10 days after the birth of the fact of such a birth having occurred. It shall then, in such case, be the duty of the local registrar to secure the necessary information and signature to make a proper certificate of birth.

SEC. 14. That the certificate of birth shall contain the following items:

(1) Place of birth; including State, county, township, or town, village, or city. If in a city, the ward, street, and house number; if in a hospital or other institution, the name of the same to be given, instead of the street and house number.

(2) Full name of child. If the child dies without a name before the certificate is filed, enter the words, "died unnamed." If the living child has not been named at the date of filing the certificate of birth, the space for "full name of child," is to be left blank, to be filled out subsequently by a supplemental report, as hereinafter provided.

(3) Sex of child.

(4) Whether a twin, triplet, or other plural birth. A separate certificate shall be required for each child in a case of plural birth, giving number of child in order of birth.

(5) Whether legitimate or illegitimate.

(6) Full name of father.

(7) Residence of father.

(8) Color or race of father.

(9) Birthplace of father.

(10) Age of father at last birthday, in years.

(11) Occupation of father.

(12) Maiden name of mother, in full.

(13) Residence of mother.

(14) Color or race of mother.

(15) Birthplace of mother.

(16) Age of mother at last birthday, in years.

(17) Occupation of mother.

(18) Number of child of this mother, and number of children of this mother now living.

(19) Certificate of attending physician or midwife as to attendance at birth, including statement of year, month, day, and hour of birth, and whether the child was alive or dead at birth. This certificate shall be signed by the attend-

ing physician or midwife, with date of signature and address; if there is no physician or midwife in attendance, then the father or mother of the child, householder, or owner of the premises, or manager or superintendent of public or private institution, or other competent person, whose duty it shall become to notify the local registrar of such a birth, as required by section 13 of this act.

(20) Exact date of filing in office of local registrar, attested by his official signature, and registered number of birth, as hereinafter provided.

All certificates, either of birth or death, shall be written legibly in unfading ink, and no certificate shall be held to be complete and correct that does not supply all of the items of information called for therein, or satisfactorily account for their omission.

SEC. 15. That when any certificate of birth of a living child is presented without the statement of the given name, then the local registrar shall make out and deliver to the parent of the child a special blank for the supplemental report of the given name of the child, which shall be filled out as directed and returned to the local registrar as soon as the child shall have been named.

SEC. 16. That every physician, midwife, and undertaker shall, without delay, register his or her name, address, and occupation with the local registrar of the district in which he or she resides, or may hereafter establish a residence, and shall thereupon be supplied by the local registrar with a copy of this act, together with such rules and regulations as may be prepared by the State registrar, relative to its enforcement. Within 30 days after the close of each calendar year, each local registrar shall make a return to the State registrar of all physicians and midwives who have been registered in his district during the whole or any part of the preceding calendar year: *Provided*, That no fee or other compensation shall be charged by local registrars to physicians, midwives, or undertakers for registering their names under this section or making returns thereof to the State registrar.

SEC. 17. That all superintendents or managers or other persons in charge of hospitals, almshouses, lying-in or other institutions, public or private, to which persons resort for treatment of disease, confinement, or are committed by process of law, are hereby required to make a record of all of the personal and statistical particulars relative to the inmates in their institutions at the date of approval of this act that are required in the form of certificate provided for by this act, as directed by the State registrar, and thereafter such record shall be by them made for all future inmates at the time of their admission. And in case of persons admitted or committed for medical treatment of disease the physician in charge shall specify for entry in the record the nature of the disease and where, in his opinion, it was contracted. The personal particulars and information required by this section shall be obtained from the individual himself, if it is practicable to do so, and when they can not be obtained they shall be secured in as complete a manner as possible from the relatives, friends, or other persons acquainted with the facts.

SEC. 18. That the State registrar shall prepare, print, and supply to all registrars all blanks and forms used in registering, recording, and preserving the returns or in otherwise carrying out the purposes of this act and shall prepare and issue such detailed instructions as may be required to secure the uniform observance of its provisions and the maintenance of a perfect system of registration; and no other blanks shall be used than those supplied by the State registrar. He shall carefully examine the certificates received monthly from the local registrars, and, if any such are incomplete or unsatisfactory, he shall require such further information to be furnished as may be necessary to make the record complete and satisfactory; and all physicians, midwives,

informants, or undertakers connected with any case, and all other persons having knowledge of the facts, are hereby required to furnish such information as they may possess regarding any birth or death, upon demand of the State registrar in person, by mail, or through the local registrar. He shall further arrange, bind, and permanently preserve the certificates in a systematic manner and shall prepare and maintain a comprehensive and continuous index of all births and deaths registered, the cards to show the name of child or deceased, place and date of birth or death, number of certificate, and the volume in which it is contained. He shall inform all registrars what diseases are to be considered as infectious, contagious, or communicable and dangerous to the public health, as provided by law and by the regulations of the State department of health, in order that when deaths occur from such diseases proper precautions may be taken to prevent the spreading of dangerous diseases. It shall also be the duty of the State registrar to collect, preserve, and tabulate records of all marriages performed within the State, and to tabulate and compile statistics of morbidity reports received by the department of health after such necessary methods and forms as shall be from time to time directed by the commissioner of health.

SEC. 19. That it shall be the duty of the local registrar to supply blank forms of certificates to such persons as require them; and he shall carefully examine each certificate of birth or death, when presented for record, to see that it has been made out in accordance with the provisions of this act and the instructions of the State registrar, and, if any certificates of death are incomplete or unsatisfactory, it shall be his duty to call attention to defects in the return and to withhold issuing the burial or removal permits until they are corrected. If the certificate of death is properly executed and complete, he shall then issue a burial or removal permit to the undertaker: *Provided*, That in case the death occurs from some disease that is held by the State department of health to be infectious, contagious, or communicable and dangerous to the public health, no permit for the removal or other disposition of the body shall be granted by the registrar, except under such conditions as may be prescribed by the State department of health. If a certificate of birth is incomplete he shall immediately notify the informant and require him to supply the missing items if they can be obtained. He shall then number consecutively the certificates of birth and of death in two separate series, beginning with "number one" for the first birth and the first death in each calendar year, and sign his name as registrar in attest of the date of filing in his office. He shall also make a complete and accurate copy of each birth and death certificate registered by him, upon a form identical with the original certificate, to be filed and permanently preserved in his office as the local record of such death, in such manner as directed by the State registrar, and he shall, on the fifth day of each month, transmit to the State registrar all original certificates of death registered by him during the preceding month; and he shall, on the tenth day of each month, transmit to the State registrar all original certificates of birth registered by him during the preceding month; and if no deaths or births occur in any month, he shall, on the fifth and the tenth days of the following month, report that fact to the State registrar on a card provided for this purpose. For the proper conduct of health affairs within their respective districts, local health authorities shall have free access at all times to the records received and permanently filed by local registrars.

SEC. 20. That each local registrar shall be entitled to be paid the sum of 25 cents for each birth or death certificate, properly and completely made out and registered with him, and correctly copied and duly returned by him to the State registrar, as required by this act: *Provided*, That in cities of the first and second class, if the local registrar appointed by the commissioner of health occu-

plies the office of city clerk, health officer, or any other local office, and receives a fixed salary as local officer, he shall be entitled to 7 cents for each birth and each death certificate, properly and completely made out, registered with him, and correctly copied and duly returned by him to the State registrar as required by this act; or, if the local registrar in any of such cities is not a local official, and does not receive a salary from the city but is furnished by the city with suitable office room for carrying out the duties of his office as local registrar, he shall, in lieu of fees, be entitled to 10 cents for each birth and each death certificate properly and completely made out, registered with him, and correctly copied and duly returned by him to the State registrar as required by this act; and, in case no births or deaths were registered during any month, the local registrar shall be entitled to be paid the sum of 25 cents for each report to that effect promptly made in accordance with this act. All amounts payable to local registrars in cities of the first and second class, where such registrars are receiving fixed salaries as local officers, or are furnished with office room as provided in this section, shall be paid by the State treasurer upon certification by the State registrar. And the State registrar shall certify monthly to the State treasurer and auditor general, the number of births and deaths registered, with the names of the local registrars and the amounts due each at the rates fixed herein. All amounts payable to registrars, except in cities of the first and second class, as provided in this section, shall be paid by the treasurer of the county in which the registration districts are located upon certification by the State registrar, and the State registrar shall annually certify to the treasurers of the several counties the number of births and deaths registered, with the names of the local registrars, and the amounts due each at the rates fixed herein.

SEC. 21. That the State registrar shall, upon request, furnish any applicant a certified copy of the record of any birth, death, or marriage registered under provisions of this act, for the making and certification of which he shall be entitled to a fee of 50 cents to be paid by the applicant; and any such copy of the record of a birth, or death, or marriage, when properly certified by the State registrar to be a true copy thereof, shall be prima facie evidence in all courts and places of the facts therein stated. For any such search of the files and records, when no certified copy is made, the State registrar shall be entitled to a fee of 50 cents for each hour or fractional hour of time of search, to be paid by the applicant. And the State registrar shall keep a true and correct account of all fees by him received under these provisions and turn the same over to the State treasurer.

SEC. 22. That if any physician who, under the provisions of this act, is responsible for the medical certificate of death, shall neglect or refuse to make out and deliver to the undertaker, sexton, or other person in charge of the interment, removal, or other disposition of the body, upon request, the said medical certificate of cause of death hereinbefore provided for, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$5 nor more than \$50; and if any physician shall knowingly make a false certification of the cause of death in any case he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$50 nor more than \$200.

And any physician or midwife in attendance upon a case of confinement, or any other person charged with responsibility for reporting births, in the order named in section 13 of this act, who shall neglect or refuse to file a proper certificate of birth with the local registrar within the time required by this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$5 nor more than \$50.

his or their agent, attorney, guardian, or committee at least 10 days' written notice of the time when the same will be presented to the court of common pleas for approval. Thereafter the township may present its bond to the court and when approved the said bond shall be filed in court for the benefit of those interested; and recovery may be had thereon for the amount of damages finally determined if the same be not paid or can not be made by execution on the judgment in the issue formed to try the question; and upon the approval of said security the township may enter into possession, take, hold, use, and enjoy said land for the purpose aforesaid forever.

SEC. 5. In case the compensation or damages accruing from such taking, injury, or destruction has not been agreed upon by the parties in interest, the court of common pleas, or any law judge thereof in vacation, on application thereto by the township or any person interested in such property, shall appoint three members of the board of viewers of the county as a board of view, and appoint a time, not less than 10 nor more than 20 days thereafter, when the board of view shall meet upon the property and view the same and the premises affected thereby. The board of view shall give at least 5 days' personal notice of the time of their first meeting, upon the owners, agents, attorneys, or representatives thereof, if the same reside within the county; otherwise, by handbills posted upon the premises, or by such other notice as the court shall direct. The board of view, having been duly sworn or affirmed faithfully, justly, and impartially to decide and true report to make concerning all matters and things submitted to them in relation to which they are authorized to inquire under the provisions of this act; and having viewed the premises or examined the property, shall hear all parties interested and their witnesses; and, having due regard to the advantages and disadvantages, shall estimate and determine the damages for the property taken, used, or appropriated, and to whom the same are payable. They shall give at least 10 days' notice thereof, in the manner herein provided, to all parties interested, of the time and place when the board of view will meet and exhibit said report and hear any exceptions thereto. After making whatever changes are deemed necessary and proper, the board of view shall make report to the court, showing the damages, if any are allowed; and file therewith a plan showing the properties taken, injured, or destroyed, and the names of the persons to whom such damages are payable.

SEC. 6. When the report of the board of view, or any two of them, is filed in court, any party may, within 30 days thereafter, file exceptions to the same; and the court may confirm the report, or modify, change, or otherwise correct it, or refer it back to the same or new viewers, with like power as to their report. Or within 30 days from the filing of any report in court, any party whose property is so taken, used, or appropriated may appeal to the court of common pleas of the county and demand a trial by jury. Any party interested therein may, within 30 days after final decree, have an appeal to the superior or the supreme court. If no exceptions are filed or no demand made for trial by jury within the said 30 days after the filing of said report, the same shall become absolute. The court may order what notices shall be given in connection with any part of said proceedings, and may make all such orders as it may deem requisite.

SEC. 7. The board of view provided for in this act may be appointed before or at any time after the entry, taking, or appropriation of any property to be used for the purpose aforesaid. They shall have power to administer oaths and adjourn their hearings from day to day as they may find necessary.

SEC. 8. The costs of the board of view, and all court costs incurred in the proceedings, including advertising and printing and posting notices, shall be defrayed by the township.

SEC. 9. All damages, when determined, shall be assessed against and paid by the township so taking, injuring, or destroying the property as aforesaid.

**Alcohol and Drug Addicts—Commitment of. (Act No. 54, Apr. 14, 1915.)**

SECTION 1. That the word "inebriate," used in this act, means a person habitually so addicted to the use of alcohol or narcotic drugs as to be a proper subject for restraint, care, and treatment.

SEC. 2. Upon petition of two citizens, who shall be either the wife, husband, parent, child, committee of the estate of an inebriate, or next friends of such person, the court of quarter sessions shall issue its warrant requiring the inebriate, on a day fixed, to be brought into court for a hearing. The petition shall not be considered unless it sets forth that the person named therein is an inebriate within the scope of this act, and unless it be accompanied by the affidavit or affidavits of at least two reputable physicians, stating that they have examined the alleged inebriate and that he is a proper subject for restraint, care, and treatment.

SEC. 3. If, after such hearing, the court is satisfied that the alleged inebriate is a proper subject for restraint, care, and treatment, the court shall commit the inebriate to the State institution for inebriates for such period as it may deem advisable under the circumstances which appear before it; but in no case shall the same be for less than 30 days. When so committed the inebriate shall remain in such institution until, on further hearing, the said court shall be of opinion that such restraint, care, and treatment are no longer beneficial to the inebriate; or until the board of trustees or superintendent of the institution shall certify to the said court that restraint, care, and treatment are no longer beneficial or necessary to the inebriate, or that he is cured. Whereupon the court shall order the inebriate to be discharged under such supervision and restriction as the court may impose.

SEC. 4. When, after hearing, an inebriate is committed to the State institution for inebriates, the court shall determine who shall bear the cost and expense of the restraint, care, and treatment of the inebriate while in the institution. The persons who shall bear such cost and expense, if the inebriate is indigent, shall be the wife or husband; and, if the inebriate be a minor, then his father or mother, as the court may direct. No inebriate shall be committed to the institution until the court shall, by order, determine who shall bear such cost and expense; nor until payment therefor be made to the said board of trustees, or security satisfactory to the board be given.

SEC. 5. If at such hearing the court finds that the inebriate is indigent, and that the wife, husband, or parent is unable to pay the cost and expense of the restraint, care, and treatment in the institution, it shall so certify in the order committing the inebriate.

The cost and expense of restraint, care, and treatment of indigent inebriates in the institution shall be borne and paid by the county from which the inebriate is committed; overhead charges by the State.

SEC. 6. Any inebriate, or any person addicted to the use of alcohol or drugs, who wishes to submit himself for care and treatment in the institution may be received therein as a patient. He shall be detained therein and given adequate care and treatment. Such detention shall not extend more than 10 days after he has signified in writing his intention or desire of leaving the institution. Admission of such patients shall be under such conditions, not inconsistent herewith, as may be imposed by the board of trustees.

SEC. 7. If any inebriate at the time of his commitment is engaged in any business, or is possessed of an estate that requires supervision and attention, the court is hereby empowered, on the petition of his or her husband or wife, father or mother, or child, to appoint a committee to supervise his business or care for his estate during the period he may be confined in the institution, under such conditions and order as the court

may see fit to impose, the committee to continue to act until discharged by the court.

SEC. 8. The court committing the inebriate is hereby empowered to direct payment to be made for the cost and expense of his restraint, care, and treatment while in the institution, by the inebriate or by person or persons who were directed to bear the liability at the time of his commitment out of his, her, or their property, and to enforce the payment of the same by execution or otherwise.

**Births and Deaths—Registration of. (Act No. 402, June 7, 1915.)**

SECTION 1. That it shall be the duty of the State department of health to have charge of the State system of registration of births, deaths, marriages, and disease; to prepare the necessary methods, forms, and blanks for obtaining and preserving such records and to insure the faithful registration of the same in the townships, boroughs, cities, counties, and in the central bureau of vital statistics at the capitol of the State. The said department shall be charged with the uniform and thorough enforcement of the law throughout the State, and shall, from time to time, recommend any additional forms and amendments that may be necessary for this purpose.

SEC. 2. That the commissioner of health, of the State department of health, shall have general supervision over the central bureau of vital statistics, which is hereby authorized to be established by said department, and which shall be under the immediate direction of the State registrar of vital statistics, whom the said commissioner of health shall appoint, and who shall be a medical practitioner of not less than 10 years' practice in his profession, and a competent vital statistician. The term of appointment of the State registrar of vital statistics shall be 4 years, beginning with the 1st day of January, 1913, and any vacancy occurring in the office of the State registrar of vital statistics shall be filled by appointment of the said commissioner of health. The State registrar of vital statistics shall receive a salary of \$4,000 per annum. The State department of health shall provide for such clerical and other assistance as may be necessary for the purposes of this act, and may fix the compensation of persons thus employed within the amount appropriated therefor by the legislature. Suitable apartments shall be provided for the State bureau of vital statistics in the State capitol at Harrisburg, which shall be properly equipped with fire-proof vault and filing cases for the permanent and safe preservation of all records made and returned under this act.

SEC. 3. That, for the purposes of this act, the State shall be divided into registration districts as follows: Each city, borough, and township shall constitute a primary registration district, but two or more primary registration districts may be united into one registration district.

SEC. 4. That the commissioner of health shall appoint a local registrar of vital statistics for each registration district of the State. The term of office of local registrars shall be for four years, beginning with the 1st day of January, of the year 1913, and their successors shall be appointed at least 10 days before the expiration of their term of office: *Provided, however,* That all local registrars now serving under appointment of the commissioner of health shall continue to serve until the expiration of their term for which they have been appointed. Any local registrar appointed by the said commissioner of health who fails or neglects to efficiently discharge the duties of his office, or who fails to make prompt and complete returns of births and deaths as required hereby, shall be forthwith removed from his office by the said commissioner of health, and his successor appointed, in addition to any other penalties that may be imposed under other sections of this act, for failure or neglect to perform



his duty. Each local registrar appointed by the commissioner of health shall, immediately upon his acceptance of appointment as such, appoint a deputy whose duty it shall be to act in his stead in case of absence, illness, or disability, and who shall accept such appointment in writing, and who shall be subject to all rules and regulations governing the actions of local registrars; and when it may appear necessary for the convenience of the people in any township, a local registrar is hereby authorized, with the approval of the State registrar, to appoint one or more suitable and proper persons to act as subregistrars who shall be authorized to receive certificates and to issue burial or removal permits in and for such portions of the township as may be designated; and each subregistrar shall note, over his signature, the date on which each certificate was filed, and forward all certificates to the registrar of the township within 10 days, and in all cases before the 3d day of the following month: *Provided*, That all subregistrars shall be subject to the supervision and control of the State registrar, and may be by him removed for neglect or failure to perform their duties in accordance with the provisions of this act or the rules and regulations of the State registrar, and they shall be liable to the same penalties for neglect of duties as the local registrar.

SEC. 5. That the body of any person whose death occurs in the State shall not be interred, deposited in a vault or tomb, cremated, or otherwise disposed of, or removed from or into any registration district, until a permit for burial, removal, or other disposition shall have been properly issued by the local registrar of the registration district in which the death occurs. And no such burial or removal permit shall be issued by any registrar until a complete and satisfactory certificate of death has been filed with him as hereinafter provided: *Provided*, That when a dead body is transported by common carrier into a registration district in Pennsylvania for burial, then the transit and removal permit issued in accordance with the law and health regulations of the place where the death occurred, when said death occurs outside of the State of Pennsylvania, shall be accepted by the local registrar of the district, into which the body has been transported for burial or other disposition, as a basis upon which he shall issue a local burial permit in the same way as if the death occurred in his district, but shall plainly enter upon the face of the burial permit the fact that it was a body shipped in for interment, and give the actual place of death; but a burial permit shall not be required from the local registrar of the district in which interment is to be made when a body is removed from one district in Pennsylvania to another district in the State, for purpose of burial or other disposition, either by common carrier, hearse, or other conveyance, and no local registrar shall, as such, require from undertakers or persons acting as undertakers, any fee for the privilege of burying dead bodies.

SEC. 6. That stillborn children, or those dead at birth, shall be registered as births and also as deaths, and a certificate of both the birth and the death shall be filed with the local registrar in the usual form and manner; the certificate of birth to contain, in place of the name of the child, the word "stillbirth." The medical certificate of the cause of death shall be signed by the attending physician, if any, and shall state the cause of death as "stillborn," with the cause of the stillbirth, if known, whether a premature birth, and, if born prematurely, the period of uterogestation in months, if known, and a burial or removal permit in usual form shall be required. Midwives shall not sign certificates of death for stillborn children; but such cases and stillbirths occurring without attendance of either physician or midwife shall be treated as deaths without medical attendance, as provided for in section 8 of this act.

SEC. 7. That the certificate of death shall contain the following items:

- (1) Place of death, including State, county, township, borough, or city. If in a borough or city, the ward, street, and house number. If in a hospital or other institution, the name of the same to be given instead of the street and the house number. If in an industrial camp, the name to be given.
- (2) Full name of decedent. If an unnamed child, the surname preceded by "unnamed."
- (3) Sex.
- (4) Color or race; as, white, black (negro or negro descent), Indian, Chinese, Japanese, or other.
- (5) Conjugal condition; as, single, married, widowed, or divorced.
- (6) Date of birth, including the year, month, and day.
- (7) Age in years, months, and days.
- (8) Place of birth, State or foreign country.
- (9) Name of father.
- (10) Birthplace of father, State or foreign country.
- (11) Maiden name of mother.
- (12) Birthplace of mother, State or foreign country.
- (13) Occupation. The occupation to be reported of any person who had any remunerative employment, women as well as men.
- (14) Signature and address of informant.
- (15) Date of death, including the year, month, and day.
- (16) Statement of medical attendance on decedent, fact and time of death, including the time last seen alive.
- (17) Cause of death, including the primary and immediate causes, and contributory causes or complications, if any, and duration of each.
- (18) Signature and address of physician or official making the medical certificate.
- (19) Special information concerning deaths in hospitals and institutions and of persons dying away from home, including the former or usual residence, length of time, and place of death, and place where the disease was contracted.
- (20) Place of burial or removal.
- (21) Date of burial or removal.
- (22) Signature and address of undertaker.
- (23) Official signature of registrar, with date when certificate was filed, and registered number.

The personal and statistical particulars (items 1 to 13) shall be authenticated by the signature of the informant, who may be any competent person acquainted with the facts.

The statement of facts relating to the disposition of the body shall be signed by the undertaker or person acting as such.

The medical certificate shall be made and signed by the physician, if any, last in attendance on the deceased, who shall specify the time in attendance, the time he last saw the deceased alive, and the hour of the day at which death occurred. And he shall further state the cause of death so as to show the course of disease, or sequence of causes resulting in death, giving the primary and immediate causes, and also the contributory causes, if any, and the duration of each. Indefinite and unsatisfactory terms, indicating only symptoms of disease or conditions resulting from disease, will not be held sufficient for issuing a burial or removal permit; and any certificate containing only such terms as defined by the State registrar shall be returned to the physician for correction and definition. Causes of death which may be the result of either disease or violence shall be carefully defined; and, if from violence, its nature shall be stated, and whether (probably) accidental, suicidal, or homicidal.

And in case of deaths in hospitals, institutions, or away from home, the physician shall furnish the information required under this head (item 19), and shall state where, in his opinion, the disease was contracted.

SEC. 8. That in case of any death occurring without medical attendance, it shall be the duty of the undertaker to notify the registrar of such death and, when so notified, the registrar shall inform the local health officer, and refer the case to him for immediate investigation and certification prior to issuing the permit: *Provided*, That when the local health officer is not a qualified physician, or when there is no such official, and in such cases only, the registrar is authorized to make the certificate and return from the statement of relatives or other persons having adequate knowledge of the facts: *Provided further*, That if the circumstances of the case render it probable that the death was caused by unlawful or suspicious means, the registrar shall then refer the case to the coroner for his investigation and certification. And in the city and county of Philadelphia it shall be the duty of the coroner to hold an inquest on the body of any deceased person who shall have died a violent death, or whose death shall be sudden, if said sudden death shall be after an illness of less than 24 hours, and no physician shall have been in attendance within said time, or if suspicious circumstances shall render the same necessary, which said suspicion shall first be sworn to by one or more citizens of said city. And any coroner whose duty it is to hold an inquest on the body of any deceased person, and to make the certificate of death required for a burial permit, shall state in his certificate the nature of the disease or the manner of death; and if from external causes or violence, whether (probably) accidental, suicidal, or homicidal, as determined by the inquest, and shall, in either case, furnish such information as may be required by the State registrar to properly classify the death.

SEC. 9. That the undertaker, or person acting as undertaker, shall be responsible for obtaining and filing the certificate of death with the local registrar of the district in which the death occurred, and securing a burial or removal permit prior to any disposition of the body. He shall obtain the personal and statistical particulars required from the person best qualified to supply them, over the signature and address of his informant. He shall then present the certificate of the attending physician, if any, or to the health officer or coroner, as directed by the local registrar, for the medical certificate of the cause of death and other particulars necessary to complete the record as specified in section 8. He shall then state the facts required relative to the date and place of burial over his signature and with his address, and present the completed certificate to the local registrar who will issue a permit for burial, removal, or other disposition of the body. The undertaker shall deliver the burial permit to the sexton, or other person in charge of the place of burial, before interring or otherwise disposing of the body, or shall attach the transit permit containing the registrar's removal permit to the box containing the corpse when the same is to be shipped by any transportation company, which permit shall accompany the corpse to its destination, and if the same be within the State of Pennsylvania, it shall be delivered to the sexton or other person in charge of the place of burial.

SEC. 10. That if the interment or other disposition of the body is to be made within the State, the wording of the burial permit may be limited to a statement by the registrar, and over his signature, that a satisfactory certificate of death having been filed with him as required by law, permission is granted to inter, remove, or otherwise dispose of the deceased, stating the name, age, sex, cause of death, and other necessary details upon the form prescribed by the State registrar.

SEC. 11. That no sexton, or person in charge of any premises in which interments are made, shall inter or permit the interment or other disposition of any body unless it is accompanied by a burial removal or transit permit as herein provided; and each sexton, or person in charge of any burial ground, shall indorse upon the permit the date of interment, over his signature, and shall return all permits so indorsed to the local registrar of his district within 10 days from the date of interment. He shall also keep a record of all interments made in the premises under his charge, stating the name of the deceased person, place of death, date of burial, and name and address of the undertaker, which record shall at all times be open to public inspection.

SEC. 12. That all births that occur in the State shall be immediately registered in the districts in which they occur, as hereinafter provided.

SEC. 13. That it shall be the duty of the attending physician or midwife to file a certificate of birth, properly and completely filled out, giving all of the particulars required by this act, with the local registrar of the district in which the birth occurred, within 10 days after the date of birth; and if there be no attending physician or midwife, then it shall be the duty of the father or mother of the child, householder, or owner of the premises, manager or superintendent of public or private institution in which the birth occurred, to notify the local registrar within 10 days after the birth of the fact of such a birth having occurred. It shall then, in such case, be the duty of the local registrar to secure the necessary information and signature to make a proper certificate of birth.

SEC. 14. That the certificate of birth shall contain the following items:

(1) Place of birth; including State, county, township, or town, village, or city. If in a city, the ward, street, and house number; if in a hospital or other institution, the name of the same to be given, instead of the street and house number.

(2) Full name of child. If the child dies without a name before the certificate is filed, enter the words, "died unnamed." If the living child has not been named at the date of filing the certificate of birth, the space for "full name of child," is to be left blank, to be filled out subsequently by a supplemental report, as hereinafter provided.

(3) Sex of child.

(4) Whether a twin, triplet, or other plural birth. A separate certificate shall be required for each child in a case of plural birth, giving number of child in order of birth.

(5) Whether legitimate or illegitimate.

(6) Full name of father.

(7) Residence of father.

(8) Color or race of father.

(9) Birthplace of father.

(10) Age of father at last birthday, in years.

(11) Occupation of father.

(12) Maiden name of mother, in full.

(13) Residence of mother.

(14) Color or race of mother.

(15) Birthplace of mother.

(16) Age of mother at last birthday, in years.

(17) Occupation of mother.

(18) Number of child of this mother, and number of children of this mother now living.

(19) Certificate of attending physician or midwife as to attendance at birth, including statement of year, month, day, and hour of birth, and whether the child was alive or dead at birth. This certificate shall be signed by the attend-

ing physician or midwife, with date of signature and address; if there is no physician or midwife in attendance, then the father or mother of the child, householder, or owner of the premises, or manager or superintendent of public or private institution, or other competent person, whose duty it shall become to notify the local registrar of such a birth, as required by section 13 of this act.

(20) Exact date of filing in office of local registrar, attested by his official signature, and registered number of birth, as hereinafter provided.

All certificates, either of birth or death, shall be written legibly in unfading ink, and no certificate shall be held to be complete and correct that does not supply all of the items of information called for therein, or satisfactorily account for their omission.

SEC. 15. That when any certificate of birth of a living child is presented without the statement of the given name, then the local registrar shall make out and deliver to the parent of the child a special blank for the supplemental report of the given name of the child, which shall be filled out as directed and returned to the local registrar as soon as the child shall have been named.

SEC. 16. That every physician, midwife, and undertaker shall, without delay, register his or her name, address, and occupation with the local registrar of the district in which he or she resides, or may hereafter establish a residence, and shall thereupon be supplied by the local registrar with a copy of this act, together with such rules and regulations as may be prepared by the State registrar, relative to its enforcement. Within 30 days after the close of each calendar year, each local registrar shall make a return to the State registrar of all physicians and midwives who have been registered in his district during the whole or any part of the preceding calendar year: *Provided*, That no fee or other compensation shall be charged by local registrars to physicians, midwives, or undertakers for registering their names under this section or making returns thereof to the State registrar.

SEC. 17. That all superintendents or managers or other persons in charge of hospitals, almshouses, lying-in or other institutions, public or private, to which persons resort for treatment of disease, confinement, or are committed by process of law, are hereby required to make a record of all of the personal and statistical particulars relative to the inmates in their institutions at the date of approval of this act that are required in the form of certificate provided for by this act, as directed by the State registrar, and thereafter such record shall be by them made for all future inmates at the time of their admission. And in case of persons admitted or committed for medical treatment of disease the physician in charge shall specify for entry in the record the nature of the disease and where, in his opinion, it was contracted. The personal particulars and information required by this section shall be obtained from the individual himself, if it is practicable to do so, and when they can not be obtained they shall be secured in as complete a manner as possible from the relatives, friends, or other persons acquainted with the facts.

SEC. 18. That the State registrar shall prepare, print, and supply to all registrars all blanks and forms used in registering, recording, and preserving the returns or in otherwise carrying out the purposes of this act and shall prepare and issue such detailed instructions as may be required to secure the uniform observance of its provisions and the maintenance of a perfect system of registration; and no other blanks shall be used than those supplied by the State registrar. He shall carefully examine the certificates received monthly from the local registrars, and, if any such are incomplete or unsatisfactory, he shall require such further information to be furnished as may be necessary to make the record complete and satisfactory; and all physicians, midwives,

informants, or undertakers connected with any case, and all other persons having knowledge of the facts, are hereby required to furnish such information as they may possess regarding any birth or death, upon demand of the State registrar in person, by mail, or through the local registrar. He shall further arrange, bind, and permanently preserve the certificates in a systematic manner and shall prepare and maintain a comprehensive and continuous index of all births and deaths registered, the cards to show the name of child or deceased, place and date of birth or death, number of certificate, and the volume in which it is contained. He shall inform all registrars what diseases are to be considered as infectious, contagious, or communicable and dangerous to the public health, as provided by law and by the regulations of the State department of health, in order that when deaths occur from such diseases proper precautions may be taken to prevent the spreading of dangerous diseases. It shall also be the duty of the State registrar to collect, preserve, and tabulate records of all marriages performed within the State, and to tabulate and compile statistics of morbidity reports received by the department of health after such necessary methods and forms as shall be from time to time directed by the commissioner of health.

SEC. 19. That it shall be the duty of the local registrar to supply blank forms of certificates to such persons as require them; and he shall carefully examine each certificate of birth or death, when presented for record, to see that it has been made out in accordance with the provisions of this act and the instructions of the State registrar, and, if any certificates of death are incomplete or unsatisfactory, it shall be his duty to call attention to defects in the return and to withhold issuing the burial or removal permits until they are corrected. If the certificate of death is properly executed and complete, he shall then issue a burial or removal permit to the undertaker: *Provided*, That in case the death occurs from some disease that is held by the State department of health to be infectious, contagious, or communicable and dangerous to the public health, no permit for the removal or other disposition of the body shall be granted by the registrar, except under such conditions as may be prescribed by the State department of health. If a certificate of birth is incomplete he shall immediately notify the informant and require him to supply the missing items if they can be obtained. He shall then number consecutively the certificates of birth and of death in two separate series, beginning with "number one" for the first birth and the first death in each calendar year, and sign his name as registrar in attest of the date of filing in his office. He shall also make a complete and accurate copy of each birth and death certificate registered by him, upon a form identical with the original certificate, to be filed and permanently preserved in his office as the local record of such death, in such manner as directed by the State registrar, and he shall, on the fifth day of each month, transmit to the State registrar all original certificates of death registered by him during the preceding month; and he shall, on the tenth day of each month, transmit to the State registrar all original certificates of birth registered by him during the preceding month; and if no deaths or births occur in any month, he shall, on the fifth and the tenth days of the following month, report that fact to the State registrar on a card provided for this purpose. For the proper conduct of health affairs within their respective districts, local health authorities shall have free access at all times to the records received and permanently filed by local registrars.

SEC. 20. That each local registrar shall be entitled to be paid the sum of 25 cents for each birth or death certificate, properly and completely made out and registered with him, and correctly copied and duly returned by him to the State registrar, as required by this act: *Provided*, That in cities of the first and second class, if the local registrar appointed by the commissioner of health occu-

pies the office of city clerk, health officer, or any other local office, and receives a fixed salary as local officer, he shall be entitled to 7 cents for each birth and each death certificate, properly and completely made out, registered with him, and correctly copied and duly returned by him to the State registrar as required by this act; or, if the local registrar in any of such cities is not a local official, and does not receive a salary from the city but is furnished by the city with suitable office room for carrying out the duties of his office as local registrar, he shall, in lieu of fees, be entitled to 10 cents for each birth and each death certificate properly and completely made out, registered with him, and correctly copied and duly returned by him to the State registrar as required by this act; and, in case no births or deaths were registered during any month, the local registrar shall be entitled to be paid the sum of 25 cents for each report to that effect promptly made in accordance with this act. All amounts payable to local registrars in cities of the first and second class, where such registrars are receiving fixed salaries as local officers, or are furnished with office room as provided in this section, shall be paid by the State treasurer upon certification by the State registrar. And the State registrar shall certify monthly to the State treasurer and auditor general, the number of births and deaths registered, with the names of the local registrars and the amounts due each at the rates fixed herein. All amounts payable to registrars, except in cities of the first and second class, as provided in this section, shall be paid by the treasurer of the county in which the registration districts are located upon certification by the State registrar, and the State registrar shall annually certify to the treasurers of the several counties the number of births and deaths registered, with the names of the local registrars, and the amounts due each at the rates fixed herein.

SEC. 21. That the State registrar shall, upon request, furnish any applicant a certified copy of the record of any birth, death, or marriage registered under provisions of this act, for the making and certification of which he shall be entitled to a fee of 50 cents to be paid by the applicant; and any such copy of the record of a birth, or death, or marriage, when properly certified by the State registrar to be a true copy thereof, shall be prima facie evidence in all courts and places of the facts therein stated. For any such search of the files and records, when no certified copy is made, the State registrar shall be entitled to a fee of 50 cents for each hour or fractional hour of time of search, to be paid by the applicant. And the State registrar shall keep a true and correct account of all fees by him received under these provisions and turn the same over to the State treasurer.

SEC. 22. That if any physician who, under the provisions of this act, is responsible for the medical certificate of death, shall neglect or refuse to make out and deliver to the undertaker, sexton, or other person in charge of the interment, removal, or other disposition of the body, upon request, the said medical certificate of cause of death hereinbefore provided for, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$5 nor more than \$50; and if any physician shall knowingly make a false certification of the cause of death in any case he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$50 nor more than \$200.

And any physician or midwife in attendance upon a case of confinement, or any other person charged with responsibility for reporting births, in the order named in section 13 of this act, who shall neglect or refuse to file a proper certificate of birth with the local registrar within the time required by this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$5 nor more than \$50.

And if any undertaker, sexton, or other person acting as undertaker, shall inter, remove, or otherwise dispose of the body of any deceased person, without having received a burial or removal permit, as herein provided, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$20 nor more than \$100.

And any registrar, deputy registrar, or subregistrar who shall neglect or fail to enforce the provisions of this act in his district, or shall neglect or refuse to perform any of the duties imposed upon him by this act or by the instructions and directions of the State registrar, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$10 nor more than \$100.

And any person who shall wilfully alter any certificate of birth or death, or the copy of any certificate of birth or death on file in the office of the local registrar, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$10 nor more than \$100, or be imprisoned in the county jail not exceeding 60 days, or suffer both fine and imprisonment, in the discretion of the court.

And any other person or persons who shall violate any of the provisions of this act, or shall willfully neglect or refuse to perform any duties imposed upon them by the provisions of this act, or shall furnish false information to a physician, undertaker, midwife, or informant, for the purposes of making incorrect certification of births or deaths, shall be deemed guilty of a misdemeanor, and upon conviction thereof be fined not less than \$5 nor more than \$100.

And any transportation company or common carrier transporting or carrying, or accepting through its agents or employees for transportation or carriage, the body of any deceased person without an accompanying permit issued in accordance with the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$50 nor more than \$200: *Provided*, That in case the death occurred outside of the State and the body is accompanied by a certificate of death, burial or removal or transit permit issued in accordance with the law or board of health regulations in force where the death occurred, such death certificate, burial or removal or transit permit may be held to authorize the transportation or carriage of the body into or through the State.

SEC. 23. That local registrars are hereby charged with the strict and thorough enforcement of the provisions of this act in their districts, under the supervision and direction of the State registrar. And they shall make an immediate report to the State registrar of any violations of this law coming to their notice by observation, or upon complaint of any person, or otherwise. The State registrar is hereby charged with the thorough and efficient execution of the provisions of this act in every part of the State, and with supervisory power over local registrars, to the end that all of the requirements shall be uniformly complied with. He shall have authority to investigate cases of irregularity or violation of law, personally or by accredited representative, and all registrars shall aid him upon request in such investigations. When he shall deem it necessary the commissioner of health shall report cases of violation of any of the provisions of this act to the department of justice of the Commonwealth.

SEC. 24. That all laws and parts of laws inconsistent with the provisions of this act are hereby repealed, and no system for the registration of births and deaths shall be continued or maintained in any of the several municipalities of this Commonwealth other than the one provided for and established by this act.



**Mausoleums, Vaults, Etc.—Prohibited in Certain Cities When Building Containing is Wholly or Partially Above Surface of Ground. (Act No. 291, June 1, 1915.)**

SECTION 1. That no person, firm, or corporation shall hereafter, in cities of the second class, commence, build, construct, or erect any public or community vault or mausoleum—that is to say, vaults, crypts, or mausoleums, wherein such vaults, crypts, or parts of mausoleums, are intended to be sold or offered for sale to the public—for the interment therein of human bodies, where such public or community vaults, crypts, or mausoleums are in a building or buildings wholly or partially above the surface of the ground.

**Tenement Houses in Cities of the First Class—Division of Housing and Sanitation. (Act No. 420, June 3, 1915.)**

SECTION 1. That there shall be in cities of the first class a division of housing and sanitation attached to the department of public health and charities, which division and all its officers and employees shall be under the supervision and control of the director of the department of public health and charities, and shall, under said department, have jurisdiction over all matters coming within the provisions of this act, and all laws, ordinances of such cities, and rules and regulations of the bureau or board of health, in any way affecting or regulating the use, occupancy, sanitation, or maintenance of all buildings, grounds, and vacant lands herein mentioned.

SEC. 2. *Organization.*—There shall be a chief of the said division, to be known as the chief of the division of housing and sanitation, who shall have had experience in sanitary work; an assistant chief and one or more supervising inspectors, all of whom shall be qualified by training or experience; a statistician, sufficient inspectors, and such stenographers, typewriters, messengers, and other employees as the director of the department of public health and charities shall deem necessary, subject to the approval of select council. The city council, with the approval of the mayor, shall fix their respective salaries. None of the foregoing officers shall be otherwise employed.

The director of the department of public health and charities shall, immediately after the city council by ordinance create the said division, organize and establish said division by transfer thereto of the inspectors and employees of the division of sanitation and tenement-house inspection. Where there is no substantial change made in the duties or salary of the person transferred, he shall be placed in the new position without a civil-service examination. Such other employees as this act provides for shall be appointed by the director of the department. The chief of the division shall forthwith organize a subdivision thereof, which shall have charge and control of all matters relating to the construction and reconstruction of the plumbing and house connections of all buildings. Said subdivision shall be in immediate charge of one of the supervising inspectors. Said supervising inspectors, and each of the persons who may perform the duties of the examinations of plans of proposed plumbing work, or the inspection of plumbing and house connections, or who may perform any of the technical work necessary in the operation of this division, shall be required to have had at least five years' experience as a practical plumber.

SEC. 3. *Duties of officers.*—The chief of the division shall have the management and direction of all matters coming within the jurisdiction of and pertaining to the division of housing and sanitation. He shall provide for the inspection of all properties under the provisions of this act. He shall keep suitable records of inspections, together with all permits and orders, which shall be open to public inspection during business hours.

The director of the department of public health and charities may revise or revoke any action of the chief of said division.

The assistant chief shall assist in the management and control of all matters pertaining to the division, and, in the absence or disability of the chief, exercise all the powers of said chief.

The other inspectors shall, under the direction of their superior officers, inspect all properties under this act, as often as necessary, and make adequate records and reports thereof, and perform such other duties as shall properly come within the scope of said division.

SEC. 4. *General provisions.*—Whenever in this act the “present tense” is used, it shall include the future tense.

The “masculine gender” shall include the feminine and neuter genders.

The “singular number” shall include the plural.

The word “shall” shall be mandatory and not directory.

The word “person” shall include any association, partnership, or corporation as well as a natural person.

The word “converted” shall mean either a change in the character of occupancy or in construction.

The words “ordinances,” “regulations,” “bureau of building inspection,” “department,” or “board,” or “bureau of health” shall be construed as if followed by the words “in cities of the first class.”

The words “is occupied,” applying to any building, shall be construed as if followed by the words “or is intended, arranged, or designed to be occupied.”

The words “satisfactory or approved” shall be construed as if followed by the words “to” or “by” “the chief of the division of housing and sanitation.”

The term “tenement” shall mean any house or building which, or a portion of which, is occupied as a residence by three or more families, living independently of each other, and doing their cooking on the premises, and having a common right in the halls, stairways, yard, cellar, or water-closets thereof, or some of them.

The term “dwelling” shall mean any house or building, not a lodging house within the terms of the act of assembly of July 2, 1895 (pamphlet laws, 428), entitled “An act to regulate and license public lodging houses in the different cities in this Commonwealth,” and not a tenement, rooming house, or inn, all or any part of which is occupied as the home or residence of a family, or of two or more families living independently of each other, and having no common right or use of any hall, stairway, cellar, water-closet, or privy; and whether such house is built singly, or as part of a double house, or in conjunction with others in an attached or semi-detached row, it shall be deemed a dwelling.

A “two-family dwelling” is any house not a tenement, dwelling, rooming house, or inn, and which is occupied by two families, who use a common entrance or hallway.

The term “rooming house” shall mean and include any house or building, or portion thereof, not a lodging house within the terms of the act of assembly of July 2, 1895 (pamphlet laws, 428), entitled “An act to regulate and license public lodging houses in the different cities in this Commonwealth,” and not a tenement or inn, and in which persons, either as single individuals or as families, are harbored or received, housed or lodged, for hire or otherwise, for a single day or night or for a longer period: *Provided*, That this shall not include a dwelling where less than five persons are so received and lodged.

The term “apartment” shall mean a room, or suits of two or more rooms, which is or are occupied as a home for one or more persons.

For the purpose of this act all buildings herein referred to shall be graded according to their use or occupancy. Buildings of the highest or first grade shall include all dwellings, as hereinbefore defined. Buildings of the second grade shall include all two-family dwellings, as hereinbefore defined. Buildings of the third and lowest grade shall include all rooming houses and tenements, as hereinbefore defined.

A living room, or room used for living purposes, is any room, not a water-closet, bathroom, or other room used solely for storage or closet purposes, and which is used, in whole or in part, for any household purpose.

A yard is an open, unoccupied space, on the same lot with a tenement, rooming house, or dwelling, and which space extends in its full width or depth between opposite lot lines.

A court is an open, unoccupied space, other than a yard, on the same lot with a tenement, rooming house, or dwelling.

A sewer is a public sewer, or a private sewer tributary thereto, and accepted by the bureau of surveys.

A school sink is any vault or box used, or designated to be used, to receive urine and fecal matter which is washed to the sewer by means of a steady or intermittent flow of water.

An entrance hall is a public hall on the first story, admission to which is made from the street or yard, court, or alley.

A public hall is a hall, corridor, or passageway not within an apartment.

A stair hall includes the stairs, stair landings, and the portion of any hall through which it is necessary to pass in going between the entrance floor and roof.

A basement is a room or rooms partly, but not more than one-half, below the level of the ground surrounding the building.

A cellar is a room or rooms more than one-half below the level of the ground surrounding the building.

SEC. 5. *Approving plans.*—All plans for the erection, construction, or alteration of buildings of the grade referred to in this act, for the alteration of houses already erected, or other buildings intended for occupancy for any other grade, besides being submitted to the bureaus now charged with the approval of the same, shall be submitted to the chief of the division of housing and sanitation, for his approval of the sanitary requirements of said plans and of the sanitary conditions surrounding the ground over which the proposed building is to be erected; and until such approval is obtained and indorsed on such plans the work for construction or alteration shall not begin. All plans for the installation or alteration of plumbing, ventilation, fixtures, cesspools, sinks, or privy wells shall be submitted to the supervising inspector in charge of plumbing and house drainage, for his approval.

SEC. 6. *Light and ventilation; per cent of lot to be occupied.*—No building shall be occupied as a tenement unless it shall have appurtenant to it in the rear or at the side, and as a part of the lot upon which it is located, an open space equal to at least 20 per cent of the entire area of such lot, which open space shall be unobstructed by any overhanging structure except fire escapes required by law; unless, however, such tenement shall be located upon a corner of two streets, neither of which is less than 20 feet in width, in which case said tenement shall have an open space attached to it, in the rear or at the side next the adjoining lot, equal in area to at least 10 per cent of the entire area of the lot upon which said tenement is located, which open space shall be unobstructed by any overhanging structure except fire escapes required by law; and any such tenement located upon a lot bounded on three sides by streets, none of which is less than 20 feet in width, may cover the entire area of said lot: *Provided*, That at least one window, not less than the minimum size hereinafter provided, opening from each of the rooms in such tenement, shall open upon one of the streets. Such open space attached to every tenement shall be at least 8 feet in width throughout its entire length.

No court or open space between tenements, or between wings of a tenement, shall be of a less width than 12 feet, except in buildings erected prior to June 7, 1895, and which are not over three stories in height; where the open space is between the walls of the walls of the wings of tenements there shall be an approved open space 5 feet in width, provided the length of such wing or wings is not more than 30 feet, and

for each additional 10 feet in length there shall be an additional foot in width, provided there is at the rear or at the side of the lot upon which the building is erected an open space equal to at least 20 per cent of the entire lot area, which open space shall be unobstructed by any overhanging structure except fire escapes required by law. If such tenement is situated on a lot which is bounded on two opposite sides by streets, then at least one end of every such open space shall abut upon one of said streets. Every court or shaft furnishing light or air to any such tenement shall open, upon one side, into a street, or into a yard or open space, except such shafts as are used solely for ventilation of water-closets or bathrooms, which, for the purpose of cleaning same, shall have a door or window giving sufficient access for such purposes on the ground floor leading thereto. Buildings erected as tenements, or physically altered into tenements, prior to June 7, 1895, shall be exempt from the provisions of this section governing the percentage of the lot occupied, the width between the wings, and the width of the court; and such other buildings shall likewise be exempt as have been listed on the records of the department of public health and charities, and consecutively occupied as tenements prior to the passage of this act.

SEC. 7. *Alteration of building and open areas.*—No yard, court, or open area appurtenant to any building of the grades referred to in this act shall be reduced, through the erection or alteration of any kind of building on the same lot, to a size less than the minimum yard, court, or open area required when new buildings of like grade are constructed.

SEC. 8. *Change in grade of occupancy.*—No building of a higher grade of occupancy shall be converted to the use of a building of a lower grade of occupancy, except as provided in section 6 of this act, unless it shall be made to conform in all particulars, as to safety in structure and requirements in sanitation and health, to the class to which the lower grade belongs. No building not now in one of the grades referred to in this act shall be converted into any such grade without conforming to all the requirements of this and other acts, and all the rules and regulations relating to such grades.

SEC. 9. *Two-family dwellings.*—All two-family dwellings, unless otherwise specifically stated in this act, shall be subject to the same requirements as dwellings.

SEC. 10. *Increase in height of buildings.*—No building of any grade referred to in this act shall be increased in height, if it is situated on a rear lot, alley, court, street, or other passageway 20 feet or less in width.

SEC. 11. *Light.*—Whenever the windows of a building used for human habitation receive their light from a yard, alley, court, or passageway the line of which is formed by a fence 6 feet in height, wall or building 5 or less feet distant, such fence, wall or building facing such yard, alley, court, or passageway shall be whitewashed or painted white, and shall be maintained in such condition so as to reflect the maximum available light to such windows.

SEC. 12. *Windows.*—No room in any tenement erected or converted since June 7, 1895, shall be occupied for living purposes unless it has a window lighting area of at least 12 square feet, the upper half of which surface shall open fully. At least one window of the required size shall open directly upon a street, yard, or open area not less than that provided for in section 6 of this act. No room in any other building of the grades referred to in this act shall be occupied for living purposes, unless it has a window or windows of an approved lighting area opening to the outer air. The upper half of all such windows shall open fully.

SEC. 13. *Alcove and alcove rooms.*—No part of any room, in any building of the grades referred to in this act, shall be inclosed or subdivided, in whole or in part, by a fixed or movable partition, or other contrivance or device, unless such part of the room, so inclosed or subdivided, shall contain a separate window as herein required for ordinary rooms, and shall have a floor area of not less than 70 square feet.

SEC. 14. *Windows in halls.*—No tenement erected prior to June 7, 1895, no dwelling converted into a tenement, no two-family dwelling or rooming house shall be used for human habitation unless all public halls are lighted on each floor by a window, or windows, of an approved lighting area, opening directly to the outer air, the upper half of which surface opens fully: *Provided, however,* That whenever any such public hall can not reasonably be so lighted and ventilated, translucent glass panels of at least 4 square feet shall be inserted in the wall or in the doors, or as transoms above the doors, leading to the rooms whose windows open directly to the outer air. Such halls shall have a ventilating skylight of satisfactory area in the top floor, directly over the stairway, and, where such is or may be built in, it shall be an acceptable substitute for windows either leading to the outer air or to rooms that lead to the outer air, on the top floor. No tenement erected since June 7, 1895, shall be occupied for human habitation unless the windows in its public halls conform to the requirements of section 3 of the act of assembly of June 7, 1895 (pamphlet laws, 178), entitled "A supplement to an act entitled 'An act amending section 1 of article 3 of an act entitled 'An act for the better government of cities of the first class in this Commonwealth,' approved the 1st day of June, A. D. 1885, regulating the construction, maintenance, and inspection of buildings,' approved the 8th day of June, A. D. 1893, regulating the construction, alteration, and ventilation of tenement houses, and providing for the safety of the inhabitants thereof, and providing penalties for the violation of the same." If, after the foregoing provisions have been complied with, such public halls are not adequately lighted in the daytime, the owner, lessee, or conductor of such house shall keep a proper light burning in the hallways, near the stairs, as may be necessary, from sunrise to sunset.

SEC. 15. *Light in public halls at night.*—In every public hall, near the stairs in a tenement or rooming house, an adequate light shall be kept lighted by the conductor, from sunset to at least 10 p. m.; and in the entrance hall, and the hall of the second floor above, an adequate light shall be kept lighted all night. Such light shall be adequately protected by a glass shade or wire screen.

SEC. 16. *Light in corridors, cellars, etc.*—Whenever it is necessary to improve the lighting of any hall, corridor, cellar, basement, or other part of a two-family dwelling, rooming house, or tenement used in common by two or more families, in addition to the provisions for this purpose otherwise stated in this act the chief of the division of housing and sanitation may order the walls and ceiling, or both, to be painted or whitewashed, calcimined, or papered in white or other approved light color.

SEC. 17. *Cellar ventilation.*—The cellar or space underneath the first floor of every building used for human habitation shall, when feasible, be so ventilated as to secure a constant supply of fresh air, and when feasible shall be lighted by windows.

SEC. 18. *Cellar and basement rooms.*—No cellar or cellar room shall be used for living purposes. No basement room in any building of the grades referred to in this act shall be used for living purposes, other than laundry, the finished ceiling of which is less than 7 feet above the finished floor level, and the walls of which are not dampproof and waterproof. Such rooms shall have a window area equal to that required in section 12, and shall not be used for sleeping purposes, unless along the side containing the window there is an open area of not less than 6 inches below the level of the window sill and extending upward to the surface of the street, which area shall be satisfactorily drained. The tenant of a cellar room or basement not conforming to the above requirements shall be subject to the penalties hereinafter provided for violations of this act, and the chief of the division shall thereupon notify the agent or owner, and the lessor if he be not the owner, that such tenancy shall be terminated.

SEC. 19. *Sanitation; courts and areas to be drained.*—All courts, yards, areas, and alleys about buildings of the grades referred to in this act shall be properly graded, so as to receive thorough drainage in all their parts. If necessary the chief of the division shall order such spaces filled or repaved, so as to eliminate all stagnant ponds or waters and thus destroy the breeding places of mosquitos.

SEC. 20. *Rain leaders.*—The rain conductors of all buildings of the grades referred to in this act shall be connected with a sewer, if there is one in the street contiguous thereto, or, if there is none, as soon as such sewer is laid, but at no time shall the flow therefrom be permitted to go over the sidewalk or upon the adjoining property.

SEC. 21. *Rain conductors not to be used as waste pipes.*—No fixture, sink, closet, or drain of any kind receiving house sewage shall empty into a rain conductor nor discharge on a roof draining to a rain conductor.

SEC. 22. *House to be sewer connected.*—Every dwelling or rooming house accessible to a sewer shall be connected therewith. All privy vaults or cesspools and school sinks shall be removed from the premises of any dwelling or rooming house after a sewer has been laid in a contiguous street. No building shall be used as a tenement unless it is sewer connected and all cesspools, privy vaults, and school sinks shall have been removed from the premises thereof.

SEC. 23. *Water-closets.*—Every dwelling to which a public sewer and water main is accessible shall have a water-closet, thoroughly flushed at all times, in a separate and independent compartment; and in dwellings having a furnace or other heating system there shall be, when feasible, at least one such water-closet located within such dwelling in a separate compartment or in a bathroom.

SEC. 24. *Number and location of water-closets.*—In every rooming house there shall be at least one water-closet, in a separate compartment, for every four rooms or major fractional part thereof, approached by an entrance independent of any living room. In each two-family house or tenement there shall be at least one water-closet, contained in a separate compartment, for each family occupying the premises; except that, where there are apartments of one or two rooms, there shall be at least one water-closet for each three families, located in a separate compartment on the same floor with the apartments it is to serve, if feasible; otherwise, it shall be in a place easily accessible to such apartments. Such water-closet shall be approached by at least one entrance independent of a living room. At least one water-closet for each other apartment in such buildings shall have at least one entrance by separate hall or passageway independent of a room used for sleeping purposes, except that where such apartment consists of a kitchen, a bathroom, and not more than two living rooms, and is occupied by not more than one family, said entrance may be direct from a living room. No water-closet shall be maintained in the cellar or basement of any building without a permit from the bureau or board of health; but under no circumstances shall the general water-closet accommodations of a rooming house or tenement be permitted in a cellar or basement.

SEC. 25. *Privies.*—Where a sewer is not accessible to a dwelling, there shall be a privy vault located in the yard thereof, and constructed in accordance with the laws, ordinances, and rules of the bureau or board of health relating thereto. Such privy vault shall be cleaned to the bottom whenever the contents come within 3 feet of the level of the ground outside, or within 3 feet of the floor of the privy house, if such floor is below the level of the surrounding ground, and shall be corrected with lime by the tenant or occupant of the property whenever it becomes foul.

SEC. 26. *Water supply.*—Where water mains have been placed in a street, and there is sufficient pressure, water shall be introduced in every dwelling, and in every apartment of two or more rooms in a two-family house, and in a tenement: *Provided*, That in sparsely populated districts where there is a well upon the premises, and the water therefrom is of standard purity required by the board of health, such well may be considered an acceptable substitute for water in dwellings. When one or more apartments consist of but one room, there shall be at least one source of water supply, in an easily accessible place, for every two such apartments. In all rooming houses water shall be introduced in an accessible place on each floor: *Provided*, That where less than three rooms are on each floor of a rooming house water may be introduced on every

alternate floor. Wherever a water fixture is introduced a sink and suitable drain, properly trapped, leading from it, shall also be installed. No such sink in a tenement shall be inclosed with any woodwork.

SEC. 27. *Plumbing.*—All plumbing, water-closets, and the compartments in which they are located, pipes, and other like fixtures in dwellings, rooming houses, and tenements, shall be installed and maintained in accordance with the plumbing regulations of cities of the first class.

SEC. 28. *Cellars to be damp proof and waterproof.*—All cellars or spaces beneath the first floor or basement of any building of the grades referred to in this act shall be damp proof and waterproof, and when, in the opinion of the chief of the division of housing and sanitation, conditions require it, they shall be concreted with good concrete and a finished surface to a depth of not less than 4 inches, and the walls shall be coated with the same or other nonpermeable surfacing to such depth as to prevent the incoming of water.

SEC. 29. *Occupancy; overcrowding.*—No room in any dwelling house, rooming house, or tenement house which is used for sleeping purposes shall be occupied or permitted to be occupied at any time by more occupants than would permit for each occupant over 12 years of age at least 400 cubic feet of air space, and for each occupant under 12 years of age at least 200 cubic feet of air space.

SEC. 30. *Animals and fowls in buildings.*—No horse, cow, calf, swine, sheep, or goat shall be kept or slaughtered in a dwelling, rooming house, or tenement, or any part thereof; nor shall any other animal or fowl, deemed objectionable by the chief of the division of housing and sanitation, be kept or slaughtered in any such building; nor shall any of the aforesaid animals or such fowl be kept in the yard of any such building, or the lot thereof, or the property adjoining, in closely built-up sections, without the person desiring to keep the same first having obtained a permit from the bureau or board of health. Application for such permit shall be accompanied by a fee of 50 cents; and such permit, when granted, shall expire not later than the calendar year for which it is issued.

SEC. 31. *Uninhabitable houses to be vacated.*—Whenever any dwelling house, tenement house, two-family dwelling house, or rooming house, or any part thereof, for any reason whatsoever, is unfit for human habitation or is dangerous to life and health, or is being maintained and occupied contrary to the laws and ordinances governing such buildings in cities of the first class or the provisions of this act, or is dangerous to life and health, the chief of the division of housing and sanitation shall issue an order to all persons therein requiring them to vacate such building, or part thereof, within not less than 1 or more than 30 days after service of such notice; the reason therefor to be mentioned in such order, a copy of which shall be served at the same time upon the last registered owner of such property, by leaving the same at the last known residence or address of such owner, or, if such address is not known, by posting the same in a conspicuous place upon such building. And it shall thereafter be unlawful for any person or persons to occupy, or permit the occupancy of, such house, or any designated part thereof, until the chief of the division of housing and sanitation is satisfied that the provisions of the laws of the Commonwealth, the ordinances of the city, and the rules and regulations of the bureau or board of health have been complied with, and that the dangers from said house have ceased to exist. And whenever, in the opinion of the chief of the division of housing and sanitation, any building of any kind is in such physical condition as to be a menace to life or to adjoining properties, he shall forthwith report the same to the department of public safety.

SEC. 32. *Manufacturing in houses.*—No room or rooms in any dwelling house, rooming house, or tenement which are used for manufacturing purposes shall be occupied at any one time, by more persons than would give to each occupant at least 400 cubic feet of air space; and no such room or rooms shall be so occupied in any instance except by a permit from the bureau or board of health, which permit shall expire not later than

the calendar year for which it is issued. No such permit shall be granted if such use would create dust, foul odors, or undue noise, liable to affect injuriously the health or comfort of those engaged therein, or of the tenants, occupants, or neighbors.

SEC. 33. *Janitor*.—In a tenement occupied by six or more families, in which the owner or conductor does not reside, there shall be a janitor, housekeeper, or other responsible person, who shall reside therein and have charge thereof, if required by the chief of the division.

SEC. 34. *Wooden tenements*.—No wooden building exceeding three stories in height shall be occupied as a tenement; and no wooden building of any height shall be occupied as a tenement if located within the limits established by councils in cities of the first class prohibiting the erection of frame buildings.

SEC. 35. *Fire escapes*.—No building of any of the grades referred to in this act shall be used for human habitation unless it is equipped with a fire escape or fire escapes as required by law: *Provided*, That any building of such grades having less than 4 stories and used as a rooming house or tenement, the third story of which shall contain not more than 5 rooms and a bathroom, and such third story is not occupied by more than 10 persons and has at least 1 stairway therefrom, shall be exempt from the provisions of the acts of assembly requiring fire towers and outside fire escapes for such buildings, if every apartment above the second floor in any of said buildings shall be equipped with a satisfactory wire, chain, or other safe fire escape.

SEC. 36. *No encumbrance on fire escape*.—The owner of every occupied dwelling upon which there is a fire escape shall keep such fire escape in good order and repair, and wherever rusty shall have it properly painted with two coats of paint. No person shall at any time place any encumbrance of any kind before or upon any fire escape, scuttle, or bulkhead. The tenant or occupant of each apartment shall be liable for any encumbrances on the fire escape, scuttle, or bulkhead adjoining his apartment.

SEC. 37. *Storage of certain goods forbidden*.—No dwelling, rooming house, or tenement, or any part thereof occupied as such, shall be used as a place of storage, keeping or handling of feed, hay, straw, excelsior, cotton, paper stock, feathers, or rags, or for any matter or thing dangerous or detrimental to health or life, except as hereinafter provided; nor shall any such building or any adjacent or contiguous property receive, store, or keep dung or manure of any kind, except a stable, where such cleanings from the stalls may be stored for a period of not longer than seven days, in a watertight sanitary bin, built wholly inside the building line of the property upon which it is situated: *Provided*, That in sparsely populated districts such stable cleanings may be kept for a longer period, if kept according to the rules and regulations of the board or bureau of health.

SEC. 38. *Combustible materials—paints, oils, etc.*—No basement or cellar or room or rooms in any dwelling or rooming house shall be used as a paint or oil shop, or for any kind of a store where highly combustible materials or goods are kept, unless the same conform to the rules and regulations of the board or bureau of health approved by select council.

SEC. 39. *Bakeries and fat boiling*.—No tenement house, or any part thereof, shall be used as a bakery or as any place of business in which fat is boiled, unless the ceiling, side walls, and all exposed woodwork therein, or in the part thereof so used, is lined with fireproof materials satisfactory to the chief of the division and the director of the department of public safety.

SEC. 40. *Maintenance; cleanliness*.—The occupant or tenant of every dwelling and of each apartment in a two-family dwelling, or the lessee or conductor of every rooming house, and the conductor of every tenement house, shall keep the same and every part thereof, and the yards, courts, shafts exclusively belonging thereto, free from all accumulations of dirt, filth, garbage, or other refuse matter. The owner of such building, when notified by the chief of the division, shall see that every part thereof, and all cellars, halls, passages, walls, areas, yards, courts, and spaces appurtenant thereto,



are kept free from all accumulations of dirt, filth, garbage, or other refuse matter. Any person who shall cause or permit any filth, refuse, or perishable matter to be cast into a shaft, court, or area or yard in or about such building, or shall commit any other nuisance in or about such building, shall be subject to the penalty hereinafter provided for violations of this act.

SEC. 41. *Garbage and ash receptacles.*—The occupant or tenant of every dwelling, and of each apartment in a two-family house, the lessee or conductor of every rooming house, and the conductor of every tenement house shall provide for each apartment under his supervision a suitable nonabsorbent, nonleakable, covered receptacle for garbage, and a receptacle of approved kind for ashes. All occupants or tenants of buildings of the foregoing classes shall securely bundle all rubbish, waste paper, and like refuse, in such manner as to prevent it from causing a nuisance upon the property or upon the street when the collectors are taking it away. Garbage chutes shall not be constructed, maintained, nor used. Contractors or others removing refuse or other waste shall so handle it as to prevent it from escaping or becoming a nuisance on or to other properties or the public street.

SEC. 42. *Repairs.*—Every building of the grades referred to in this act, and all parts thereof, shall be kept in good repair and the walls damp proof. All rain water shall be so drained and carried from such building as to prevent its dripping to the ground, or causing dampness in the walls, ceilings, yards, courts, or other areas, or in those of adjoining properties.

SEC. 43. *The bureau or board of health to make rules and regulations.*—It shall be the duty of the bureau or board of health, and it is hereby empowered, to make such additional rules and regulations governing the use, occupancy, and sanitation and maintenance of the buildings of the grades referred to in this act, the ground surrounding the same, and of unoccupied lands as may from time to time be deemed necessary. All such rules and regulations shall be approved by select council and promulgated by advertising, three times in each of two newspapers published in cities of the first class, a notice that such rules and regulations have been adopted and where copies thereof may be had. Such rules and regulations shall be printed, and shall be furnished free upon application to the bureau of health. It shall be the duty of the division of housing and sanitation to enforce said rules and regulations and the provisions of this act.

SEC. 44. *Provisions for enforcing the act.*—On and after the passage of this act no building shall be occupied or permitted to be occupied as a rooming house or tenement house unless the owner or lessee of such building, or the conductor of such tenement, shall have first made application to the bureau or board of health for a license therefor. Such application shall be made in writing, and shall state the nature and extent of the applicant's interest in the property, the name and address of the owner or his agent, the location of the building, the use to which it is to be put, and the number of rooms to be occupied. Each application shall be accompanied by a fee of \$2 for each rooming house, and for a tenement house 50 cents for each apartment that is to be occupied for living purposes. The license shall be granted, without further charge, by the chief of the division after he has inspected the premises and certified that the provisions of this act and the rules and regulations of the bureau or board of health have been complied with. Said license shall be for the remainder of the calendar year, and may be revoked for cause.

SEC. 45. *Appeals.*—Any person whose application for a license has been refused or revoked, or who may be aggrieved by any order or notice issued, or decision by the chief of the division or of any other official, or by any department, bureau, or board having to do, or assuming to have to do, with and in the enforcement of this act or of any rules or regulations made in accordance therewith, may appeal therefrom, within 15 days thereafter, to the court of common pleas of the proper county; and

such appeal shall not supersede any such notice, order, or decision pending the entry of a final decree thereabout, unless so ordered by the court.

SEC. 46. *Inspections.*—The chief of the division and his duly accredited inspectors may enter and examine on any week day, between the hours of 8 a. m. and 5 p. m. all houses or other premises within the provisions of this act. Such inspector shall then wear a prescribed uniform and show a suitable badge and certificate of authority signed by the director of public health and charities. No person shall hinder such chief or any such inspector in the performance of his duty.

SEC. 47. *Licenses to be displayed.*—On and after the passage of this act it shall be unlawful for any person to let, rent, lease, or conduct any tenement house or rooming house in any city of the first class unless a license therefor has been issued by the bureau or board of health in accordance with the provisions of section 44 of this act, and unless such license is at all times displayed in a conspicuous place upon the walls within and close to the outer entrance of the house.

SEC. 48. *Penalties.*—Any person who shall violate any of the provisions of this act, or who shall interfere with an inspector of the division of housing and sanitation in enforcing the provisions of this act, or of any law of the Commonwealth or ordinance of the city of the first class, or rule and regulation of the bureau or board of health that has been approved by select councils and advertised in the manner provided for in this act, shall for every such offense, upon conviction thereof in a summary proceeding before any magistrate of said city in which said offense was committed, be subject to a fine of not less than \$5 or more than \$50, with costs of prosecution, for the first offense; and for a second or subsequent offense, to a fine of not less than \$25 or more than \$200, and costs of prosecution, or by imprisonment for not more than 60 days, or by both, at the discretion of the court. All fines so imposed and collected to be paid into the treasury of the said city.

SEC. 49. *Notices and liens.*—Notices requiring compliance with this act shall be served upon the person required to make such compliance, or his agent, unless otherwise herein provided, by mailing a copy to the residence, if known, of such person or his agent; and, if unknown, by posting a copy in a conspicuous place upon the premises affected, which notice shall not be removed or defaced while the condition mentioned therein exists. All notices shall be complied with within such period, not exceeding 30 days, as the bureau or board of health may determine; and upon failure to comply the bureau or board of health may contract to have the necessary work done; and the cost thereof shall be made a lien against such property and collectible as now provided by law: *Provided, however,* That if there shall be no funds at the disposal of such bureau or board of health for the aforesaid purpose, then the bureau or board of health may contract and have such work done and the lien therefor shall be marked to the use of the contractor doing the work and shall be collectible by such contractor as is now provided by law in similar cases: *Provided further,* That the owner of the property may, by permission of the department of public health and charities, pay the amount of the lien thereon in five equal yearly parts, with interest at the rate of 5 per cent.

SEC. 50. *Repealer.*—An act approved the 22d day of July, 1913 (pamphlet laws, 879), entitled "An act to protect the public health and safety by regulating the erection, alteration, repair, use, occupancy, maintenance, sanitation, and condemnation of dwellings, two-family dwellings, rooming houses, and tenements; by regulating the use, maintenance, and sanitation of the ground surrounding the same, the adjoining buildings, and all vacant land in cities of the first class; providing for their inspection, the abatement of nuisances, the vacating and destroying of uninhabitable houses, and the filing of liens; creating a division of housing and sanitation; providing for institution of prosecutions and penalties for violations of the provisions thereof; and repealing laws inconsistent therewith," and all other acts or parts of acts inconsistent with this act, be, and the same are hereby, repealed.

**SEC. 51. *Proviso.***—All of the provisions of this act shall take effect immediately: *Providing, however,* That licenses and permits issued for the year 1915, under any existing laws, for any of the subject matter for which licenses are to be issued under this act, shall be valid until the 31st day of December, 1915.

**Sewers and Sewage-Disposal Plants in Counties—Construction and Maintenance—Connections with. Sewer Districts. (Act No. 383, June 5, 1915.)**

**SECTION 1.** That the several counties of this Commonwealth shall have the power, and they are hereby authorized, whenever the commissioners, or a majority of them, shall, by resolution duly adopted, deem it expedient so to do, and upon approval thereof by a grand jury and by the court of quarter sessions as hereinafter provided, to construct and maintain main, or trunk, sanitary sewers, and sewerage-disposal [sic] plants, under the provisions of this act; and any such main, or trunk, sewers, or disposal plants, constructed under the provisions of this act, shall forever thereafter be county sewers and disposal plants; and the duty of maintaining, operating, and keeping the same in repair shall devolve upon the county, and the expense thereof shall be paid by the county as hereinafter provided.

**SEC. 2.** That the several courts of quarter sessions of this Commonwealth shall have authority, within their respective counties, to establish sewer districts in their several counties, or to decree that the said county shall form one or more sewerage districts, having respect to the topography of the county and the course of natural drainage, upon application of the county commissioners, or upon petition of 50 freeholders resident in the locality for which a sewer district is prayed for; and upon the presentation of such petition the court shall appoint three viewers—for whom the county engineer shall act as artist—to inquire into the propriety of granting the prayer of the petition, whose duty shall be to investigate the same and make a plan or draft showing the boundaries of sewer districts formed, and report at a date to be fixed by said court; at which time, or any subsequent time to which said return day may be extended by the court, said report shall be filed and confined nisi by the court; and notice of said filing, and that exceptions may be filed to said report within 30 days after said confirmation nisi, shall be published in one or more newspapers of the county, as the court may designate, once a week for four weeks; and if exceptions be filed upon hearing thereof, said court may modify or change said report, or readjust the boundary lines thereof, or refer the same back to the same or other viewers; and if no sufficient cause be shown to the contrary, said report shall be approved absolutely, and said district or districts so formed shall comprise separate sewerage districts of said county, and be designated by number.

**SEC. 3.** Whenever the commissioners of any county of this Commonwealth shall resolve to construct any such main or trunk sewers or sewerage-disposal plants in accordance with the provisions of this act, they shall cause to be prepared surveys and plans of such main or trunk sewers or disposal plants showing the location, termini, size, depth, and type of construction of such sewer or sewers, and the location, size, and type of construction of such disposal plants, together with the properties and the names of the owners thereof through which said sewer or sewers extend, or upon which the same abuts, and the properties and names of the owners of the land upon which such disposal plants are to be located or upon which the same abuts, together with an estimate of the cost and expense of the same. The plans and estimates shall show the location and capacity of any main or trunk sanitary sewer or sewers or sewerage-disposal plant, either completed or in course of construction, together with the cost or probable cost thereof. The estimates shall provide for

and make such allowance or rebate to the municipality or municipalities which shall have paid, assumed, or contracted for the cost of such main or trunk sanitary sewer or sewers or disposal plants as shall be agreed upon between the county and the municipality or municipalities interested; and, in the event of failure so to agree, the allowance or rebate shall be determined by the court of common pleas of the proper county upon application of either party. The county commissioners shall, thereupon, present such surveys, plans, and estimates, or a copy thereof, together with their petition, to the court of quarter sessions of the county, and, upon filing thereof, the court shall direct notice to be given of the same, substantially describing the line of the proposed sewer or sewers and the location of the proposed disposal plants by publication, at least once a week for three consecutive weeks, in at least two newspapers of general circulation published in the county wherein said proposed sewers or disposal plants are to be made or constructed, and of the time when said application will be laid before the grand jury; and, after publication as aforesaid, the said court shall cause the said application to be laid before the grand jury, when in session; and if a majority of said grand jury, after a full investigation of the matter by the grand jury, shall approve the same, they shall certify their approval to the court; whereupon the court shall fix such time for filing exceptions to said proceedings as the court shall deem proper, and upon hearing thereof the said court may, for a cause shown, disallow such application; but, if no sufficient cause be shown to the contrary, said application shall be approved; and said court shall, thereupon, order that said sewers or sewerage-disposal plants shall be made and constructed in accordance with the plans and surveys accompanying the said application; and thereupon the location of such sewers and sewerage-disposal plants shall remain absolute.

SEC. 4. After such plans and specifications have been prepared by said county commissioners and before presentation thereof to the court or grand jury, as provided for in section 3 of this act, they shall be submitted to the State department of health; and approval by said State department of health of the same shall be first had in accordance with the act of assembly of April 22, 1905, entitled "An act to preserve the purity of the waters of the State for the protection of the public health."

SEC. 5. For the purpose of making all necessary preliminary surveys in order to prepare such plans, surveys, and estimates, the commissioners of the several counties of this Commonwealth, and the persons by them employed for such purposes, shall, and are hereby given the right to, enter upon private or public property and designate, by proper marks upon the ground, the line or location of any sewer or disposal plant proposed to be made and constructed under and for the purpose authorized in this act.

SEC. 6. When said application, surveys, and plans shall have been finally approved by such court, and said sewer or disposal plant ordered to be constructed as aforesaid, the said county commissioners, or a majority of them, shall endeavor to agree with the persons or parties interested in the properties affected thereby as to the damages, if any, sustained, or which seem likely to be sustained, by reason of the taking, injuring, or destroying such property; and upon agreement being made, the said commissioners shall report the same to such court, showing the amount of damages agreed to be paid and the names of the persons or parties to whom the same are payable; and upon the approval thereof by such court, the said damages shall be payable by said commissioners out of the moneys specifically raised for such purposes in the manner herein-after provided.

SEC. 7. In case the said commissioners, or a majority of them, and the parties interested in the land upon which such sewers or disposal plants shall or are to

be made and constructed as aforesaid fail to agree upon the compensation to be made for the property so taken, injured, or destroyed by reason of such sewer or disposal plant, then, upon petition of such commissioners, or a majority of them, or any person or parties interested in said proposed sewer or disposal plant, and whose property or land is affected thereby, to a court of common pleas of said county, the said court of common pleas shall appoint three disinterested viewers, and appoint a time, not less than 20 nor more than 30 days thereafter, when said viewers shall meet upon the line of the proposed sewers or disposal plants and view the same and the properties affected thereby. The said viewers shall give at least 10 days' notice by publication in the newspapers aforesaid of the time and place of their first meeting, and shall also give notice thereof by handbills posted in conspicuous places along the line or in the vicinity of the said sewers or disposal plants.

SEC. 8. The said viewers, having been sworn or affirmed faithfully, justly, and impartially to decide and true report make concerning all matters and things to be submitted to them, and in relation to which they are authorized to inquire under the provisions of this act; and, having viewed the properties connected with and affected by the said proposed sewers or disposal plants, shall hear all parties interested and their witnesses; and, having due regard to the advantages and disadvantages, shall estimate and determine the damages, if any, for the property taken, used, or appropriated, and to whom the same are payable; they shall give at least 10 days' notice thereof, in the manner herein provided, to all parties interested, of the time and place when said viewers will meet and exhibit their report and hear any exceptions thereto; after making whatever changes are deemed necessary and proper, said viewers shall make report to the said court, showing the damages, if any, allowed; and file therewith a plan showing the properties acquired, taken, used, and appropriated for the purposes aforesaid, and the names of the persons or parties to whom such damages are payable. The said viewers shall have the right to adjourn from day to day, as may be found necessary, and to administer oaths to all parties and witnesses appearing before them and desiring to be heard upon all matters connected with the construction, maintenance, and operation of such sewers or disposal plants.

SEC. 9. All damages found, awarded, or sustained for, or on account of, the construction and operation of such sewers, or disposal plants under the provisions of this act, and all cost and expense thereafter incurred in repairing and maintaining the same, shall be paid from the funds raised by taxation, as hereinafter provided and authorized.

SEC. 10. The viewers provided for in the foregoing sections may be appointed before, or at any time after, the entry, taking, appropriation, or injury of any private property used and acquired in the construction of such sewers or disposal plants. The cost of the said viewers, and of court charges incurred, including all advertising and notices, shall be paid by the said county.

SEC. 11. Upon the report of said viewers, or a majority of them, being filed in said court, any party in interest may, within 30 days thereafter, file exceptions to the same; and the court shall have the power to confirm said report; or to modify, change, or otherwise correct and amend the same, or refer the same back to the same or new viewers, with like power as to their report; or, within 30 days after the filing of any report in court, the county commissioners, on behalf of the county or any party whose property is taken, injured, or destroyed, may appeal therefrom and demand a trial by jury; and any party so interested may, within 30 days after final decree and confirmation of said report by said court, have an appeal to the supreme or superior court. That said court

of common pleas shall have power to order and direct what notices shall be given in connection with any part of said proceedings, and make such orders as it may deem requisite in the premises. For the purposes of this act it shall be lawful for the majority of said board of viewers to hear, determine, pass upon, and report all matters in this act relating to said viewers; but all said viewers shall act unless prevented by sickness or other unavoidable cause.

SEC. 12. After said surveys and plans and the aforesaid application to the court of quarter sessions shall have been approved by the court, and the said sewers or disposal plants, as decreed by said court, ordered to be made and constructed in accordance therewith, the commissioners, or a majority of them, of the respective counties wherein the said sewers or disposal plants are made or to be made and constructed, shall invite proposals for the making and constructing of the same, by publication in at least two newspapers of general circulation published in said county; or, if no newspapers be published in said county, then in a newspaper or newspapers published in the county adjoining, once a week for four consecutive weeks, fixing a time therein when such proposals will be opened and the contracts therefor awarded; in addition to the notices so ordered to be given by publication, there shall be posted, in the office of the said commissioners of the respective counties, like notice as those now give, inviting proposals for the construction and repair of public roads and bridges; the contract, as aforesaid, shall be awarded by the said county commissioners, or a majority of them, to the lowest responsible bidder. No contract shall be awarded for any of said sewers or disposal plants until proper bonds shall be given for the faithful performance thereof, by the person or persons to whom the same shall be awarded, with proper security to be approved by said commissioners, or a majority of them. Any incorporated company doing business within any of said counties, authorized by law to be surety for persons or corporations, may be taken and accepted as surety upon the bonds herein required to be given.

SEC. 13. Said commissioners shall have prepared plans and estimates, as often as required, for the repair and maintenance of all county sewers, or disposal plants which may hereafter be constructed under the provisions of this act, and become county sewers or disposal plants in their respective counties: they shall invite proposals for the repairing and maintenance of such sewer or disposal plants, or parts thereof, in accordance with such plans and estimates, and award the contract therefor in like manner as contracts for new sewers and disposal plants.

SEC. 14. For the purpose of performing all necessary duties relating to the construction and repairs of county sewers and disposal plants, herein authorized, the said county commissioners, or a majority of them, of the several counties of this Commonwealth, are hereby authorized to employ or appoint proper persons to prepare such surveys, plans and estimates, and do all necessary and proper work connected therewith, and shall fix the compensation of all persons so employed.

SEC. 15. The said commissioners, or a majority of them, of the several counties of this Commonwealth, are hereby authorized to levy, assess, and collect an annual tax of not more than 2 mills upon the dollar upon all real and personal property within said county, now or hereafter taxable for county purposes, where the court has decreed that the entire county shall form one sewer district, for the purpose of acquiring and securing a fund from which to pay all costs, damages, and expenses required in the locating, construction, maintaining, repairing, and operating of such county sewers or disposal plants made or constructed under the provisions of this act, and for taking, using, and enjoying of such land as may be necessary in constructing same; and the

money so raised shall not be used or expended for any other purpose than that named in this section. Where one or more sewer districts has been formed by the court, under the provisions of this act, in any county, and the county does not comprise one entire sewer district, and county sewers or disposal plants are constructed, under the provisions of this act, to accommodate a particular sewer district of said county, the said commissioners, or a majority of them, of such counties are hereby authorized to have prepared separate copies of the assessed value, for county purposes, of the properties located within the sewer district wherein, or for whose use, such sewer or disposal plant has been constructed; and to levy, assess, and collect an annual tax of not more than 2 mills upon the dollar upon all real and personal property within said sewer district, now or hereafter taxable for county purposes, for the purpose of acquiring and securing a fund from which to pay all costs, damages, and expenses required in the locating, constructing, maintaining, and operating of such county sewer or disposal plant, in, or for the benefit of, said sewer district; and the money so raised shall not be used, or expended, for any other purpose than that named in this section, and shall not be expended or used for any other sewer district. All warrants for the payment of any portion of the money raised for the purposes aforesaid shall be issued by the said commissioners, or a majority of them, in the manner now provided by law in the several counties, upon estimates which shall be made from time to time, by the person charged with such duty; and the amount, and time within which the same shall be paid, shall be fixed and determined in the contract made for the public work herein authorized.

**SEC. 16.** Should any board of county commissioners, in the exercise of the powers herein conferred, deem it necessary or advisable to enter upon a highway or highways in any city, borough, or township for the purpose of constructing or maintaining any such main, or trunk, sewer or sewers, or disposal plants, the consent thereto of such city, borough, or township shall first be had and obtained.

**SEC. 17.** All main, or trunk, sewers constructed under this act shall be of sufficient size and extent so that it shall not be burdensome upon any city, borough, or township which is wholly or partly within the sewer district in which said main, or trunk, sewer is constructed, to connect its lateral sewers with said main, or trunk, sewer, constructed under the provisions of this act; and a copy of the notice provided for under section 3 of this act shall be served upon the mayor, burgess, commissioners, or supervisors of such city, borough, or township forming any part of such sewer district, 10 days before said application shall be laid before the grand jury; and any such city, borough, or township shall have a right to be heard by said grand jury, and to file exceptions to said proceedings; and the approval of said application by the grand jury and by the court shall be a conclusive finding that the said main sewers, proposed to be constructed under said proceeding, are of sufficient size and extent, so that the connection thereto by any such city, borough, or township will not be burdensome upon said city, borough, or township.

**SEC. 18.** After the construction of such main, or trunk, sewer, any city, borough, or township shall have the right, free of charge, to connect with said main, or trunk, sewer, by laterals, all sanitary sewerage of the sewer district in which said main, or trunk, sewer, is located, or for the use of which the same has been constructed; but all such connections shall be made under the supervision of the county engineer, and in the manner prescribed by the county commissioners.

**SEC. 19.** Any owner of property abutting on said main, or trunk, sewer shall have the right, free of charge, to connect, by lateral sewers, all sanitary sewerage of his said property within said sewer district; but such connections

shall be made under the supervision of the county engineer, and in the manner prescribed by the county commissioners.

SEC. 20. Wherever any main, or trunk, sewer, or portion thereof, or sewerage-disposal plant, constructed under the provisions of this act, is used for the carrying or disposal of sewerage from two or more sewer districts, the cost, damages, and expenses of locating, constructing, maintaining, repairing, and operating the same shall be borne by all sewer districts so using said main sewer, or portion thereof, or disposal plant, in proportion to their annual assessed taxable valuation for county purposes; but no sewer district shall be taxed for any main, or trunk, sewer, or portion thereof, or disposal plant, until said district has been accommodated with a main, or trunk, sewer, constructed under the provisions of this act, so that connections therewith can be made in said sewer districts without expenses burdensome upon cities, boroughs, or townships forming said sewer district.

SEC. 21. Whenever, in the location or construction of any such county sewers, it shall be deemed desirable to connect with and use any main or trunk sewer or portion thereof of any city, borough, or township it shall be lawful for the commissioners of the county, subject to the approval of the court of quarter sessions, to agree with such city, borough, or township for the use and repair and maintenance of such sewer or sewers or portions thereof, and what compensation shall be paid therefor or in what proportions the cost of maintenance and repairs shall be borne.

**Sewers Constructed at Public Expense—Property Abutting—Boroughs Authorized to Collect Annual Assessment From. (Act No. 174, May 11, 1915.)**

SECTION 1. That whenever any borough of the Commonwealth of Pennsylvania has heretofore constructed, or shall hereafter construct, any sewer or sewer system, at public expense, the council of the said borough may provide by ordinance for the collection of an annual rental or charge, for the use of such sewer or sewer system, from the owners of property served by it. Such annual rental or charge shall be authorized and collected as provided by general ordinances, and when so levied and charged shall be a lien on the properties charged, and the collection thereof shall be made and enforced in the manner borough taxes are now collected.

SEC. 2. The councils of said boroughs shall execute a warrant, or warrants, authorizing the collection of the said annual sewer rentals or charges, to the officer employed by council to collect the same, and the officer collecting the said rentals shall have the authority now vested by law in collection of borough taxes.

SEC. 3. The said annual sewer rentals or charges shall be a lien on the properties charged with the payment thereof, from the date set in the said ordinance, and if not paid after 30 days' notice may be collected by an action in *assumpsit*, in the name of the borough, against the owner of the property charged, or by distress of personal property on the premises, or by a lien filed in the nature of a tax lien.

SEC. 4. The said annual rental, so to be levied and charged as herein provided, shall not exceed the amount expended annually by the said boroughs in the maintenance, repair, alteration, inspection, or other expense in relation thereto, and may include any interest on money expended by the said borough in the construction of the said sewer or sewer system. The said annual sum shall be apportioned equitably among the several properties served by the said sewers.



**Mattresses—Making, Leasing, and Sale. Secondhand Mattresses—Labeling.**  
(Act No. 219, May 14, 1915.)

SECTION 1. That section 2 of an act entitled "An act defining mattresses; regulating the making, remaking, and sale thereof; prohibiting the use of insanitary and unhealthy materials therein; requiring that the materials used shall be accurately described, and prescribing the manner in which mattresses shall be labeled; providing for the enforcement of the provisions of this act; making certain acts criminal, and punishing the same; imposing certain duties upon the commissioner of health and the chief factory inspector; and repealing legislation inconsistent with this act," approved the 1st day of May, A. D. 1913, \* \* \*, be and the same is hereby amended to read as follows:

SEC. 2. (1) No person or corporation, by himself or his agents, servants, or employees, shall employ or use in the making, remaking, or renovating of any mattress:

(a) Any material of any kind that has been used in, or has formed a part of, any mattress used for or about any person having any infectious or contagious disease;

(b) Any material known as "shoddy," and made in whole or in part from old or worn clothing, carpets, or other fabric, or material previously used, or any other fabric or material from which shoddy is constructed;

(c) Any material, not otherwise prohibited by this act, of which prior use has been made, unless the said material has been thoroughly sterilized and disinfected by a reasonable process approved by the commissioner of health of this Commonwealth.

(2) No person or corporation, by himself or by his agents, servants, or employees, shall sell, *lease*, offer to sell, or *lease* or deliver, or consign *in sale or lease*, or have in his possession with intent to sell, *lease*, deliver, or consign *in sale or lease*:

(a) *Any mattress that has been used for or about any person having any infectious or contagious disease;*

(b) Any mattress made, remade, or renovated in violation of subsection one of this section;

(c) *Any mattress, not otherwise prohibited by this act, of which prior use has been made, unless since last used it has been thoroughly sterilized and disinfected by a reasonable process approved by the commissioner of health of this Commonwealth.*

SEC. 2. That section 3 of said act \* \* \* be and the same is hereby amended to read as follows:

SEC. 3. (1) No person or corporation, by himself or by his agents, servants, or employees, shall, directly or indirectly, at wholesale or retail, or otherwise, sell, *lease*, offer to sell or *lease*, or *consign in sale or lease*, or have in their possession with intent to sell or *lease*, or consign in sale or *lease*, any mattress that shall not have plainly and indelibly written or printed thereon, or upon a *plain* muslin or linen tag securely sewed to the covering thereof, a statement in the English language setting forth:

(a) The materials used in filling said mattress, and whether the same are, in whole or in part, new or old;

(b) The name and address of the maker, vendor, or *successive vendors*;

(c) *And, upon a mattress of which prior use has been made, the words "secondhand," together with the date of sterilization and disinfection, and the name and address of the person or corporation sterilizing or disinfecting the same.*

*No additional information shall be contained in said statement.*

(2) No person or corporation, by himself or by his agents, servants, or employees, shall place upon any mattress the statements required by subsection 1 (a) and (b) of this section unless said mattress has been made, remade, or renovated by him in accordance with this act; and no person or corporation, by himself or his agents, servants, or employees, shall place upon any mattress the statements required by subsection 1 (c) of this section unless the said mattress has been sterilized and disinfected by him in accordance with this act: *Provided, That the vendor, in either case, shall insert his name and address in the statement.*

Sec. 3. That section 6 of said act \* \* \* be and the same is hereby amended to read as follows:

Sec. 6. The statement required under section 3 of this act shall be *not less than 3 by 4½ inches in size*, and in form shall be as follows:

OFFICIAL STATEMENT.

Materials used in filling-----

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Made by -----

Address -----

Vendor -----

Address -----

This article is made in compliance with the act of Assembly of Pennsylvania approved the 1st day of May, 1913, as amended.

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## PHILIPPINE ISLANDS.

### Health Service—Organization, Powers, and Duties. (Act 2468, Feb. 5, 1915.)

SECTION 1. *Philippine health service; its establishment.*—All property, material, and belongings of the bureau of health are hereby transferred to an organization to be denominated the "Philippine health service," and all services and functions heretofore exercised by the bureau of health, by virtue of existing laws, orders, and regulations, shall hereafter be exercised under the department of the interior by the said Philippine health service.

SEC. 2. *Council of hygiene.*—The Philippine health service shall include a board to be known as "council of hygiene," which shall have the powers and duties as herein provided.

SEC. 3. *Powers, duties, and jurisdiction of the council of hygiene.*—The powers, duties, and jurisdiction of the council of hygiene shall be as follows:

(a) To investigate, study, and advise as to any matters of hygiene and public health in the Philippine Islands, particularly those concerning vital statistics, puericulture, nutrition, potable waters, sanitary condition of dwellings, removal and disposal of refuse, public works for drainage purposes, prevention of contagious and epidemic diseases, school hygiene, industrial and professional hygiene, marine and harbor health matters, exploitation or sale of foods, drugs, and medicines, operation of provincial health inspection, health districts and municipal health districts, and the practice of medicine and surgery in all their branches, of odontology, optometry, pharmacy, veterinary medicine, nursing, midwifery, and embalming.

(b) To require in its discretion information concerning any matter related with the public health from the various branches, bureaus, and offices of the insular, provincial, and municipal governments, from professionals or persons in charge of work related with the health service, and from the owners, managers, lessees, and occupants of public places.

(c) To propose, subject to the approval of the secretary of the interior and through the director of health, drafts for laws, including sanitary rules and ordinances for consideration of the legislature and regulations for preventing and suppressing contagious or epidemic diseases of man, or of animals if liable to affect human beings; for the general and systematic vaccination of the inhabitants of the Philippine Islands and inoculation with serums and prophylactics, if such measures shall at any time become necessary; for the abatement of nuisances endangering the public health; for the removal of the cause of any special disease or mortality; for the making of such interior quarantine regulations as it shall deem necessary in the city of Manila and all other cities, municipalities, and provinces, and in the places where there are no health officers.

(d) Either through the secretary of the council or through their own action to prepare literature on matters of health and sanitation for the education of the people of the Philippine Islands; and its advice shall be at all times available to the director of health.

(e) To propose regulations for the management of hospitals, dispensaries (except the General Hospital), sanatoria, colonies, insane asylums, orphanages and invalid homes of the government, and, subject to the approval of the director of health, to direct the management of orphanages and invalid homes of the government, and subject to the like approval, to distribute such charity funds as may be lawfully under control of the director of health in such dispensaries or health establishments as may,

in its judgment, be qualified to render such public health services and are at present rendering them.

(f) To propose regulations on hygiene or sanitation relative to houses, theaters, cinematographs, hotels, boarding houses, restaurants, barber shops, factories, mills, schools, prisons, dairies, markets, meat shops, bakeries, public water supplies, public bathhouses, wells, cisterns, cemeteries, crematories, undertaking establishments, asylums, jails, barracks, barrooms, railroads, tramways, public vehicles, and all public institutions and places of public resort.

(g) The council of hygiene, through its medical members, shall assist the director of civil service in the preparation and rating of examinations for appointment and promotion in the Philippine health service and nominations therefor under rules and regulations to be established by the secretary of the interior.

(h) It may aid in the preparation of estimates for appropriations for the Philippine health service.

(i) To recommend to the director of health the time and place and regulations for the holding of conferences once each year of all or a certain number of the health inspectors and district health inspectors for the study and consideration of matters in relation with the proper performance of their respective duties and for the discussion, perfection, and unification of health measures in the Philippine Islands, the expenses thereof to be paid out of the funds of the Philippine health service.

(j) Medical officers of the Philippine health service shall hold office during good behavior unless otherwise specifically provided by law, and no such officer shall be dismissed from the service without hearing and without consideration of the recommendation of the council of hygiene, and the director of health shall have the right to ask its recommendation in any disciplinary case of less serious character affecting a medical officer of the service; and for these purposes the council of hygiene is hereby empowered to receive and require evidence and to recommend to the Secretary of the Interior acquittal or judgment of penalties or of reprimand, reduction of pay, loss in rank, or dismissal from the service: *Provided*, That such recommendation must receive the assent of not less than four members of the council: *Provided further*, That nothing herein shall be construed to prevent the discharge from the service of persons physically unfit for service or who fail to pass satisfactory examinations as herein provided.

(k) It shall have such other powers and duties as are hereinafter prescribed.

SEC. 4. *Members of the council of hygiene; their appointment and qualifications.*—The council of hygiene shall be composed of a professor of the college of medicine and surgery of the University of the Philippines, a professor of the medical faculty of the University of Santo Tomas, a member of the Colegio Médico-Farmacéutico, a member of the Philippine Islands Medical Association, a senior officer of the Philippine health service, one attorney at law, and one other person who shall be an owner of real property in the Philippine Islands, all to be appointed by the Governor General on nomination of the secretary of the interior.

SEC. 5. *Compensation.*—The president of the council of hygiene shall receive in lieu of per diems an annual salary of ₱2,400, and the other appointive members, if not in receipt of any salary from the government, shall receive per diems at the rate of ₱20 Philippine currency for each meeting actually attended by them, or for each day spent outside of Manila on official business, not to exceed in the case of any individual the sum of ₱600 in any one year, plus reimbursement for all actual subsistence and necessary transportation expenses during travel. Members in receipt of salary or half salary from the government shall receive only the said reimbursement: *Provided*, That any person possessing the qualifications herein prescribed for membership of the said council may be appointed thereto without annual compensation notwithstanding the provisions of act numbered 1582 as amended.

SEC. 6. *Term of office.*—The appointive members shall hold office for a term of five years: *Provided, however,* That those first appointed shall hold office for one, two, three, four, and five years, respectively, as fixed in their appointments.

SEC. 7. *Meetings.*—The council of hygiene of the Philippine Islands shall hold regular meetings at least once a month on call of the president, and shall hold special sessions at any time when requested by the director of health or by a majority of the members.

SEC. 8. *Rules.*—The council of hygiene of the Philippine Islands shall draft a set of rules for the exercise of its functions. A majority of its members shall constitute a quorum.

SEC. 9. *President and secretary.*—The president of the council of hygiene shall be the chief executive officer thereof. He shall be a physician and shall be appointed by the Governor General on nomination of the secretary of the interior from among the members of the council other than the officer of the Philippine health service detailed thereto, which latter officer in addition to his other functions shall act as secretary of the council.

SEC. 10. *Administration of funds, reports, and instructions.*—The director of health with the advice as herein provided of the council of hygiene shall manage the health funds and attend to the maintenance of the Philippine health service and shall present to the legislature, on or before the opening of its regular session each year, a written report covering the vital statistics, the sanitary condition of the country, a recapitulation of its work by divisions, the names of officers in its employment or the movement of the personnel employed by it, and recommendations regarding such ordinances, regulations, or on any fact or action as may in its judgment be necessary for the improvement and protection of the public health. Said annual report shall likewise contain a detailed statement of all the disbursements and receipts of the service. From time to time, and as frequently as he may deem necessary, or when the appearance of contagious or infectious diseases requires it, he may, with the aid as herein provided of the council of hygiene publish and distribute to the public any other useful information and instructions on hygiene, for public knowledge and utility and for the purpose of combating and preventing the propagation of such diseases.

SEC. 11. *Duties of the Philippine health service.*—All medical, surgical, and sanitary work of a public nature which is supported from the funds of the Philippine Islands shall hereafter be performed by the Philippine health service: *Provided,* That nothing in this section shall be construed as in any way curtailing or infringing upon the activities of the University of the Philippines in its educational work, the activities of the bureau of science, or those of the medical division of the Philippine Constabulary, or of the maritime quarantine service, as now provided for by law or regulations.

SEC. 12. *Organization.*—The Philippine health service shall consist of one director of health, one assistant director, under whose charge shall be a division of 3 chiefs of divisions, 12 deputy chiefs of divisions, 19 medical inspectors, and a total of 40 senior surgeons and junior surgeons. There shall also be attached to the Philippine health service such number of assistant surgeons as may, on recommendation of the director of health and council of hygiene, and in the opinion of the secretary of the interior, be required, and for whom salaries shall have been provided in current appropriations: *Provided,* That for purposes of organization under this act, 13 deputy chiefs of divisions are temporarily authorized, but the first vacancy subsequently occurring in the grade of deputy chief of division shall not be filled, and thereafter the number in that grade shall be fixed at 12.

Officers of the Philippine health service and assistant surgeons shall perform such duties and be subject to such assignments as may be required in the interests of the service.

SEC. 13. *Director of health; appointment, qualifications, and duties.*—The director of health shall be chief of the Philippine health service, shall exercise general super-

vision and control over all the departments of the service, and shall be appointed by the Governor General, with the approval of the commission. He shall be a physician of good repute, with special knowledge regarding hygiene and tropical medicine, shall be a graduate from a university of recognized reputation, and shall receive the compensation now authorized for the director of health. The term of service as director of health shall be four years, or until his successor has been thereafter appointed and qualified. If not reappointed, an officer who has so served shall be returned to, and serve in, such position in the Philippine health service as he would have occupied had he not received appointment as director of health. He shall perform all the duties and functions, and exercise all the powers, not in conflict with this act, which are now reposed in the director of health, or which may hereafter be conferred upon him by law.

SEC. 14. *Main divisions.*—The organization of the Philippine health service shall include the following main divisions: Sanitation of Manila; sanitation in the provinces; hospitals, sanitarium, and dispensaries; general inspections.

SEC. 15. *Sanitary divisions in provinces.*—Upon the recommendation of a health officer regularly assigned to the charge of a province, provincial boards, unless exempted by the Governor General, are hereby required, for the purposes of health administration, to divide their provinces into sanitary divisions which may be composed of one or more municipalities but not more than four, and these divisions shall become effective in a province whenever their organization has been agreed to by at least a majority of the municipal councils concerned: *Provided*, That to dissolve such a sanitary division, the vote of a majority of the municipal councils concerned, approved by the provincial board and by the secretary of the interior, shall be necessary. Any group of municipalities joined to constitute a sanitary division may have a divisional board of health organized in accordance with the provisions of act numbered 308, relative to the organization of municipal boards of health.

There shall be for each division a president who shall be proposed by the district health officer and appointed by the director of health. The powers, duties, and remuneration of such president shall be fixed as by law provided. The president of a sanitary division shall be a duly qualified physician and shall fulfill his duties under the immediate supervision of the district health officer: *Provided*, That in emergency conditions, of the existence of which the director of health shall judge, persons with qualifications satisfying the director of health may be appointed to act temporarily as presidents of municipal sanitary divisions: *Provided, further*, That before making such appointment, the said director shall submit it to the council of hygiene and receive their opinion upon it: *And provided, finally*, That nothing in any section of this act shall be construed to amend or modify the existing sanitary organization for the city of Manila.

SEC. 16. *Health fund; how created; purposes for which it may be used.*—Each municipality shall set aside each year an amount not less than 5 per cent nor more than 10 per cent from its general funds and each provincial board shall set aside a like amount from its general funds, which amount, added to that appropriated by the municipalities under its jurisdiction, shall constitute a special fund to be known as "health fund": *Provided*, That the Governor General may authorize the amounts hereinbefore specified to be set aside by a municipality or province to be increased or decreased, and a contribution to be made from insular funds if an appropriation has been made for that purpose, which in no case shall exceed one-half the amount contributed by the municipalities and the province: *Provided, further*, That municipalities whose general funds do not exceed 3,000 pesos a year shall, upon application to the director of health, be exempted from the requirements of this section.

The health fund thus created shall be deposited with the provincial treasurer and shall be used only for the purpose of paying the salaries and traveling expenses of presidents, subordinate officers, and employees of the sanitary divisions, and the

traveling expenses necessarily incurred by them from their place of residence, upon proceeding to their station to assume the office, upon appointment, and for the purchase of medicines, medical supplies, and disinfectants to be distributed among the municipalities concerned for sanitary and other medical purposes, and other incidental expenses for carrying out the purposes of this act: *Provided*, That the salaries of district health officers and their assistants, and expenses in connection with their duties, may be paid from this fund whenever the approval of the Secretary of the Interior has first been had: *Provided, further*, That if at the close of the fiscal year there shall remain any balance in the health fund, provincial boards are hereby authorized, unless otherwise directed by the Governor General, to accumulate such balances from year to year for the purpose of establishing hospitals, benevolent institutions in the Province, or of carrying out other permanent sanitary or medical improvements: *And provided, further*, That whenever in the course of official service any president of a sanitary division travels to attend or visit any pay client or patient, he shall not be entitled to reimbursement for any traveling expenses incurred in this latter regard and shall state in a sworn voucher to accompany his claim for reimbursement that the claim does not include any such expense: *And provided, finally*, That the city of Manila may be treated as a Province under this section, in so far as the Governor General, in his discretion, may direct.

SEC. 17. *Officers and salaries*.—Officers of the Philippine health service in other grades shall receive pay, per annum, as follows: Chiefs of divisions, 6,000 pesos; deputy chiefs of divisions, 4,000 pesos; medical inspectors, 3,000 pesos; senior surgeons, 2,000 pesos; junior surgeons, 1,600 pesos: *Provided*, That all officers, other than the director of health, shall be entitled to receive additional pay at the rate of 10 per cent for each five years of service, but no officer shall receive such additional pay in amount exceeding 40 per cent of the pay of his grade proper; nor shall a chief of division receive more than 8,000 pesos, a deputy chief of division more than 5,500 pesos, or a medical inspector more than 4,000 pesos per annum, respectively: *Provided, further*, That time heretofore served as a physician, surgeon, or health officer in any capacity other than as an interne, under the Government of the Philippine Islands, shall be reckoned in computing the additional service pay authorized under this act, the base pay for the computation being the minimum salary of the grade to which transferred under this act. Assistant surgeons shall be entitled to such percentage increase of their pay proper, by reason of length of service, as is authorized for commissioned officers of the Philippine health service: *And provided, further*, That medical officers assigned to duty at the leper colony, Cullion, shall be entitled to receive an additional 10 per cent on their pay proper while so serving: *And provided, further*, That nothing in this act shall be construed as interfering with allowances for subsistence, quarters, and laundry, in kind or by commutation, for persons detailed for duty in hospitals, as now authorized by law for the bureau of health: *And provided, finally*, That any officer of the Philippine health service who may demonstrate special knowledge of any language used in the Philippine Islands may receive additional compensation for such knowledge at not to exceed 100 pesos per annum for each such language.

SEC. 18. *Qualifications for appointment*.—No person shall be appointed in the Philippine health service, or employed as an assistant surgeon, who is not a physician of good repute and character and a graduate of a reputable medical college, or who is not legally entitled to practice medicine and surgery in the Philippine Islands, or who is not a native of the Philippine Islands or a citizen of the United States: *Provided*, That nothing in this section shall be construed to prevent the employment under the Philippine health service of such engineers and other technical experts as may be required and for whom salaries may be provided, and whose appointment may be requested by the director of health after consultation with the council of hygiene, and with the approval of the secretary of the interior.

SEC. 19. *Transfer of existing officers.*—All physicians now occupying salaried positions under the bureau of health as director, assistant director, assistant to the director, chief of statistical division, medical inspector, district health officers and health officers of subdistricts, chiefs of hospital divisions, and medical assistants and residents in hospitals other than internes, and junior medical inspectors, and physicians employed under any other bureau of the government of the Philippine Islands, other than those specifically excepted under this act, shall be commissioned in the Philippine health service in grades carrying as nearly as practicable duties similar to those they may be performing and the pay of which is nearest the salary which they are actually receiving at the time of the passage of this act; and within each such grade they shall be arranged on a list and given seniority and relative rank therein according to the length of service previously rendered in a medical capacity in any branch of the government of the Philippine Islands: *Provided*, That for the purposes of original transfers made under this act, physicians now under the bureau of health and receiving a salary of 4,000 pesos or more per annum and not exceeding 6,000 pesos shall be graded as deputy chiefs of divisions; those receiving 3,000 pesos or more per annum and less than 4,000 pesos as medical inspectors; those receiving 2,000 pesos or more per annum and less than 3,000 pesos as senior surgeons; and those receiving less than 2,000 pesos per annum as junior surgeons: *Provided further*, That nothing in this act shall be construed to legislate out of the service, or to reduce the salary or privileges enjoyed by, any person occupying a position under the bureau of health at the time of the passage of this act: *And provided further*, That when the health service of the department of Mindanao and Sulu shall come under the direct control of and be merged into the general health service of the Philippine Islands, the then health officer of that department, and the then provincial health officers thereof, other than constabulary medical officers, acting as such, shall become officers of the Philippine health service in accordance with their respective ranks.

SEC. 20. *Appointments.*—After the accomplishment of all transfers authorized by this act, no person shall receive an original permanent appointment in the Philippine health service except in the grade of junior surgeon, nor shall such appointment be made unless he shall have been examined and approved in accordance with the civil service act and rules: *Provided*, That if the director of health finds that a necessity exists for special expert services, and, with the approval of the Secretary of the Interior, certifies that no physician or surgeon then in the service possesses the requisite special qualifications, an original limited appointment may be given by the Governor General for a period of four years or less, to any physician or surgeon upon his having been examined and approved by the bureau of civil service if a resident of the Philippine Islands, or by the civil service of the United States if a resident of the United States.

SEC. 21. *Commissions.*—Commissions shall be issued to all officers of the Philippine health service by the Governor General in their respective grades.

SEC. 22. *Leaves of absence.*—Officers of the Philippine health service shall be entitled to the same leaves of absence and accrued leaves as other persons in a civil-service status: *Provided*, That the secretary of the interior, if he deems it to the interest of the government, may place any officer of the Philippine health service on waiting orders, for a period not exceeding six months, and while so serving such officer shall receive half pay.

SEC. 23. *Promotions.*—Subsequent to the passage of this act, promotions to vacancies in all grades except that of director of health, within the Philippine health service, shall be made from the next lower grade: *Provided*, That chiefs of divisions may be appointed from any grade not lower than that of medical inspector. Assistant surgeons shall not be entitled by virtue of any appointment as such to promotion in the Philippine health service.

Subsequent to completion of all transfers contemplated in the organization of the Philippine health service under this act and subject to the provisions of the preceding



section, two-thirds of all promotions to vacancies within the service shall be made by seniority and one-third by selection in all grades up to that of chief of division: *Provided*, That, of the promotions authorized under this act, other than those to fill vacancies which exist, or may exist, in the grade of chief of division, and of promotions from the grade of junior surgeon to that of senior surgeon as a result of three years' service, only one-fifth of the promotions to the original vacancies hereby created shall be accomplished annually for a period of five years: *And provided further*, That junior surgeons shall be entitled to promotion to the next higher grade after three years' service and that time served in any medical capacity under the government, other than as interne, shall be counted for such promotion: *And provided, finally*, That all promotions, except that to the grade of director of health, shall be subject to qualifying examination as hereinafter prescribed.

SEC. 24. *Examination for promotion*.—No person shall be promoted to any higher grade in the Philippine health service unless he shall have passed such qualifying examination as may be prescribed under the civil-service act and rules: *Provided*, That any person previously employed under the bureau of health and transferred to the Philippine health service under the provisions of this act shall not be required to take such examination for promotion if he elects to decline it, but so long as he elects to decline such examination he shall continue to serve in the grade to which he was transferred and shall continue to be ineligible for further promotion: *Provided further*, That in making the transfers authorized under this section or from any other medical service of the government to the Philippine health service to fill original vacancies created under this act, no examination shall be required.

SEC. 25. *Nature of examinations for appointment or promotion*.—Examinations of applicants for appointment in the Philippine health service, and of officers therein who are candidates for promotion, shall be thorough, and include physical, moral, and professional qualifications. It shall cover such subjects as the director of health may prescribe and be conducted in such manner as may be required by the civil-service act and rules.

SEC. 26. *Reexamination for appointment*.—Any applicant for appointment in the Philippine health service who, on examination, is found not qualified for appointment, shall be allowed a second examination after one year, but not a third.

SEC. 27. *Reexaminations for promotion*.—Officers of the Philippine health service shall be allowed but two examinations to determine their fitness for promotion to the next higher grade. As far as practicable, every officer due for examination for promotion shall be notified in writing at least six months in advance of such examination to prepare himself for the same: *Provided*, That the second examination must be at least one year, and not more than two years, after the first. Any officer found on examination at any time to be physically unfitted for the service by reason of his own misconduct or habits shall be discharged by the Governor General.

SEC. 28. *Professional disqualification*.—Junior surgeons shall be probationary, and any junior surgeon who, on a second examination, is found to be professionally disqualified for promotion to the next higher grade shall be honorably discharged by the Governor General.

Any senior surgeon who, on second examination, is found to be professionally disqualified for promotion to the next higher grade shall be debarred therefrom; but he may be continued in service as a senior surgeon, subject to successful passing of an examination appropriate to that grade, every five years, to determine his continuous competency to perform the duties pertaining thereto.

Any medical inspector or deputy chief of division who, on a second examination, is found to be professionally disqualified for promotion to a higher grade shall be ineligible for promotion but may continue to serve in his present grade.

SEC. 29. *Distinguished qualifications*.—Any officer of the Philippine health service may apply for and receive a special examination in any subject relating to the practice

of medicine, surgery, or hygiene; and if such examination demonstrates the possession by such officer of an exceptional and expert knowledge of the subject in which he is examined, such officer shall be officially designated as a specialist, and, so far as the interest of the service may permit, he shall be given assignments to duty affording opportunity for the exercise of such special knowledge: *Provided*, That any designation as specialist shall cease on promotion of the holder to the next higher grade, but may be revived on successfully passing another special examination in the same or another subject.

SEC. 30. *Sanitary engineers and technical experts; authority of; leaves of absence.*—Sanitary engineers or other technical experts and technical assistants employed under the Philippine health service shall have the authority of commissioned officers for the purpose of exercising control over subordinate employees of the Philippine health service. They shall be entitled to the same vacation and accrued leaves of absence under the same conditions as other regularly and permanently appointed employees in the Philippine civil service.

SEC. 31. *Subordinate personnel.*—There shall be employed under the Philippine health service such number of clerks, storekeepers, sanitary inspectors, assistant sanitary inspectors, disinfectors, vaccinators, nurses, hospital attendants, drivers, cooks, guards, laborers, and other employees as may be required and for whom salaries are provided in current appropriations: *Provided*, That, without prejudice to any of their rights under the civil-service act and rules, none of the employees mentioned in this section shall be entitled to the rights and privileges conferred on officers of the Philippine health service under this act.

SEC. 32. *Appropriation.*—The existing appropriation for salaries and wages for the year 1915 for the bureau of health shall be available for the execution of this act, notwithstanding changes in title of position or salary, and there is hereby appropriated an additional sum of 20,000 pesos for such salaries and wages.

SEC. 33. *Repealing provisions.*—All laws or parts of laws inconsistent with this act are hereby repealed, amended, or modified so as to be in accordance with the provisions hereof.

SEC. 34. *Date on which this act takes effect.*—This act shall take effect July 1, 1915.

**Board of Dental Hygiene—Appointment, Powers, and Duties. (Act 2490, Feb. 5, 1915.)**

SECTION 1. *Board of dental hygiene; appointment; duties; meetings.*—The secretary of the interior shall appoint three lawfully qualified practicing dentists, residents of the Philippine Islands, to form the board of dental hygiene. The members of this board shall hold office until their successors shall have been appointed and qualified. They shall serve without any compensation whatsoever. Immediately after their appointment they shall meet and elect from among their number a chairman and a secretary. They shall meet from time to time, as the needs of their duties may require. On or before January 1, 1916, they shall present to the director of health a report of the work performed since their appointment, setting forth the number of children whose teeth have been attended to, the nature of the dental work done for them, and any other information they may deem of interest, and stating all sums of money received and the origin thereof, and all disbursements, and the purposes thereof. They shall under no circumstances contract obligations in a sum in excess of the actual amount of cash on deposit in the insular treasury to the credit of the board. They shall perform all such other duties as may be necessary to carry out the purposes of this act.

SEC. 2. *Funds, how provided.*—The board of dental hygiene is authorized to solicit and accept money for the purposes and use of the dental clinics in the public schools of the Philippine Islands during the period from its organization to December 1, 1915.

**SEC. 3. *Funds, how deposited.***—All sums received for the purposes of the present act shall be forthwith deposited in the insular treasury to the credit of a fund to be designated as dental hygiene fund. It shall be the duty of the members of the board, or their agents, to issue to each contributor or subscriber to the fund a receipt countersigned by the insular treasurer, for the exact sum paid by him and deposited in the insular treasury.

**SEC. 4. *Expenditure of the money.***—The money so received, or so much thereof as may be necessary, shall be disbursed for no other purpose except that of furnishing free dental service to the poor children in the public schools of the Philippine Islands, when deemed in the best interest of the pupils attending the schools, and to any and all children attending public and private schools of primary instruction. The expenditures shall be limited to the following items:

(a) Purchase of dental instruments and equipment necessary for properly carrying out the dental work contemplated by this act.

(b) Essential expenditures in connection with the raising of funds, and the establishment of dental clinics, and the necessary expenses in connection with the business of the board.

(c) For material, medicines, and dental supplies to be used for dental work on the school children.

(d) For the compensation of dentists, assistants, and others doing real dental work for the school children.

(e) For the compensation of such assistance or service as may be essential for carrying out the dental work in an adequate and sanitary manner.

**SEC. 5. *Employees.***—All dentists, assistants, and other employees paid out of the dental hygiene fund shall be natives of the Philippine Islands or of the United States. They shall be selected impartially and in accordance with their aptitude for performing the service required.

**SEC. 6. *Disbursements upon vouchers.***—The insular treasurer shall not under any circumstances pay any money out of the dental hygiene fund created by this act, except upon the presentation of vouchers duly signed by all three members of said board and countersigned by the director of health and the director of education, and in case of the absence of one or both of them, or of any other good reason for inability to secure their approval, by their representatives in their respective bureaus.

**Opium Victims—Appropriation for Transportation, Maintenance, and Treatment.**  
(Act 2488, Feb. 5, 1915.)

**SECTION 1.** The sum of \$25,000, or so much thereof as may be necessary, is hereby appropriated, out of any funds in the insular treasury not otherwise appropriated, for the payment of the cost of transportation to Manila, treatment in the hospital, subsistence, clothing, bedding, tobacco, mess kits, soap, barber supplies, laundry, shoes, allowance, and transportation to their homes, of prisoners not charges of the insular government, convicted and sentenced to imprisonment and medical treatment in Bilibid Prison, for violation of the laws prohibiting the use of opium.

**SEC. 2.** This act shall take effect as of January 1, 1915, and the funds hereby appropriated shall be available for reimbursement to the bureau of prisons of the expenses enumerated or described in section 1 hereof, beginning with said date.

## PORTO RICO.

### Communicable Diseases—Funerals—Death Certificates. (Proclamation Aug. 2, 1915.)

ARTICLE 1. At the end of section 11,<sup>1</sup> amended by sanitary rules and regulations No. 17, add the following:

"*Provided*, That in those municipalities where there is no representative of the service of sanitation, said certificate may be countersigned by the municipal physician, and when he has been the attending physician, his certificate will be sufficient."

### Sanitation Service and Institute of Tropical Medicine and Hygiene—Appropriations for the Fiscal Year Ending June 30, 1916. (Act No. 39, Mar. 11, 1915.)

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#### OFFICE OF SANITATION SERVICE.

*Salaries, office of the director of sanitation; director's office proper.*—Director, \$4,000; assistant director, \$3,000; medical secretary in charge of the work of the insular board of health, \$2,200; two veterinary inspectors, at \$1,300 each, \$2,600; stenographer, \$1,500; file clerk, \$1,300; stenographer, \$1,200; chauffeur, \$540; clerk, \$480; messenger, \$360; janitor, \$360; telephone operator, \$360; fees of the insular board of health, \$1,000; in all, \$18,900.

*Division of property and accounts.*—Chief of division, \$2,300; bookkeeper, \$1,600; clerk, \$1,200; clerk, \$900; in all, \$6,000.

*Division of sanitary engineering.*—Sanitary engineer, \$2,500; assistant sanitary engineer, \$1,600; two plumbing inspectors, at \$1,300 each, \$2,600; stenographer, \$1,200; draftsman, \$1,100; in all, \$9,000.

*Division of transmissible diseases and bacteriological laboratory.*—Chief of division, \$2,300; laboratory director, \$1,800; bacteriologist, \$1,300; pharmacist, \$1,000; clerk, \$900; laboratory assistant, \$600; janitor, \$360; in all, \$8,260.

*Division of chemical laboratory.*—Chemical director, \$2,300; chemist, \$1,500; two food and drug inspectors, at \$1,400 each, \$2,800; pharmacist, \$1,200; assistant chemist, \$1,100; clerk, \$600; janitor, \$360; in all, \$9,860.

Chemicals and disinfectants, \$500; lighting and water, \$200; postage and freight, \$1,500; purchase of vaccine and serums, \$1,000; stationery and printing, \$1,500; supplies and equipment, bacteriological laboratory, \$1,000; supplies and equipment, chemical laboratory, \$1,000; telephone and telegraph service, \$960; traveling expenses, including maintenance of automobiles, \$2,000; incidentals—miscellaneous supplies, toilet articles, ice, repairs to office furniture and typewriters and for other minor office expenses, \$500; in all, \$10,160.

Total, office of the director of sanitation, \$62,180.

*Leper colony; salaries, leper colony.*—Resident minor surgeon, \$900; attendant, \$360; attendant, \$240; two watchmen, at \$300 each, \$600; two boatmen, at \$180 each, \$360; gardener, \$120; three laundresses, at \$150 each, \$450; cook, \$180; cook, \$96; in all, \$3,306.

*Subsistence.*—Maintenance of 39 patients and 13 employees, at 30 cents per day each, \$5,475; clothing and bedding, \$2,000; unexpendable property purchases, \$500; incidentals—fuel, ice, etc., \$630; in all, \$8,605.

In all, leper colony, \$11,911.

<sup>1</sup> Reprint No. 264 from the Public Health Reports, p. 413.

*Salaries, quarantine hospital.*—Superintendent, \$480; nurse, \$120; attendant, \$240; cook, \$96; servant, \$96; in all, \$1,032.

*Subsistence.*—Maintenance of patients and employees, \$700; lighting and water, \$200; incidentals, \$100; in all, \$1,000.

In all, quarantine hospital, \$2,032.

Salaries, field force, \$66,000; in all, \$66,000.

Killing and burying animals, \$300; labor, including maintenance of animals and equipment, materials, purchase of equipment, \$12,000; light and water, \$600; postage and freight, \$800; rent, \$1,780; telephone and telegraph service, \$200; traveling expenses, \$6,000; in all, \$21,680.

In all, field force, \$87,680.

To continue the campaign against anemia in Porto Rico under the direction of the director of sanitation, all disbursements to be made upon the approval of the director of sanitation, \$8,000; in all, \$8,000.

Total, sanitation service, \$171,803.

*Provided*, That medical members of the service of sanitation may practice their profession when it does not interfere with their duties: *And provided further*, That the city physicians of each one of the municipalities of the island are hereby required to perform such sanitary service as may be assigned to them by the director of sanitation within his jurisdiction under rules laid down by an ordinance of the municipal council, which must be approved by the director of sanitation, and such rules so approved shall be included as a condition of the duties of said city physicians in the contracts made by them with the municipalities: *Provided*, Said city physicians shall receive additional compensation for sanitation service rendered by them, which compensation shall be fixed by the director of sanitation with the approval of the executive council, but the same shall not exceed \$300 a year and shall be paid from the appropriation of \$66,000 for "salaries, field force."

#### INSTITUTE OF TROPICAL MEDICINE AND HYGIENE OF PORTO RICO.

To pay for the current expenses of the Institute of Tropical Medicine and Hygiene of Porto Rico, created by an act approved March 13, 1912, for the installation of its offices, purchase of instruments, apparatus, and books for all the purposes of its development, including its scientific expeditions to different parts of the island, the maintenance of dispensaries, payment of fees for patients submitted to observation in municipal or insular hospitals, purchase of medicines and utensils, payment of salaries and incidental expenses, \$11,000; in all, \$11,000.

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#### Foodstuffs—Protection—Sanitary Regulation of Markets, Hotels, Restaurants, etc. (Proclamation Feb. 24, 1915.)

*Sanitary rules and regulations No. 31.*—The following rules and regulations, in accordance with the provisions of act No. 81, approved March 14, 1912, having been approved by the executive council on February 10, 1915, are hereby promulgated for the information and guidance of all concerned:

SECTION 1. All meat, fish, vegetables, fruits, and other prepared foodstuffs intended for human consumption shall be kept, stored, and transported at all times in fly and dust-proof compartments or containers in such a manner as to prevent contamination by dust or by flies or other insects and to prevent handling of the same by patrons or prospective purchasers. All such meat, vegetables, fruits, and other prepared foodstuffs kept, sold, or offered for sale, shall be maintained in receptacles free from decayed matter of all kinds.

SEC. 2. When exposed for sale in the open air such meat, fish, vegetables, fruits, and other prepared foodstuffs shall be displayed on a shelf or platform at least 18 inches above the level of the ground.

SEC. 3. All hotels, restaurants, eating saloons, candy factories, meat markets, bakeries, and the kitchens thereof, or any other place where foodstuffs are kept, prepared, cooked, or served to customers, shall be kept sanitary and clean; and the meats, fish, legumes, candies, and other foodstuffs prepared to be cooked and served in said places shall be protected from dust, dirt, flies, and vermin by means of glass cases, wire screens, or other device approved by the department of sanitation.

SEC. 4. No person shall handle meat, fish, vegetables, fruits, or other prepared foodstuffs intended for human consumption, except in original envelopes and packages, unless he has been supplied with a certificate of good health signed by the local chief of sanitation or by a physician approved by the director of sanitation, and all such persons shall use all reasonable precautions to keep themselves in a cleanly condition.

SEC. 5. The use of any storeroom as sleeping quarters is prohibited, providing same is to be utilized for the sale, manufacture, handling, or storing of alimentary substances destined for public consumption.

SEC. 6. The construction of living rooms will not be permitted, nor will any room already constructed be used as a bedroom, providing they are located on the same floor of the building destined for a store as that in which food substances are stored, unless said rooms are absolutely independent from those containing merchandise.

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SEC. 9. All meats, fish, vegetables, fruits, or other foodstuffs intended for human consumption found to be contaminated, adulterated, or unfit for human consumption for any other reason may be retired from sale by a duly authorized officer of the sanitation service and its sale or use for human consumption be prohibited or prevented by seizure or by any other means that may be necessary and be held until such time as the proper court may determine the disposition to be made thereof.

SEC. 10. Any infraction of any of the dispositions of these regulations shall be punished in accordance with section 33 of a "law to reorganize the service of sanitation," approved March 14, 1912.

#### Milk—Transportation of—Milking of Cows. (Proclamation Aug. 2, 1915.)

ARTICLE 1. That between the articles 30 and 31 of the sanitary rules and regulations No. 29, "governing dairies, milk depots, and the sale of milk." shall be inserted the following:

"ART. 31. No person having in his care or custody any milk cows shall milk or permit the said animals to be milked except at a sanitary milking place constructed in accordance with plans approved by the sanitation service, nor transport or permit to be transported through the public roads or streets any milk in conditions other than those required by the sanitary regulations, except when the milk is intended and used solely for the consumption of the person having the said animals under his care and of his immediate family."

ART. 2. That articles 31 and 32 of sanitary regulation No. 29 shall hereafter be known as articles 32 and 33. respectively.

#### Flies—Prevention of the Entrance and Breeding of. (Proclamation Feb. 24, 1915.)

SEC. 7. Morgues and autopsy rooms in hospitals, cemeteries, sanatoriums, etc., shall be made fly proof by screening all doors and windows with wire netting.

SEC. 8. The existence of any collection or pile of garbage, manure, rubbish, dead animal or of any other animal or vegetable matter which can serve as a breeding place for flies, or to attract them, within the urban zone of any municipality, or near any inhabited place, shall be considered a public nuisance, and the owner, tenant, or agent of the property upon which the said collection or pile of garbage, etc., exists will be responsible therefor and shall be punishable under the provisions of section 330 of the penal code.

**Buildings—Director of Sanitation May Require Maintenance of Water Service.  
(Proclamation Aug. 2, 1915.)**

ARTICLE 1. That sections 6, 7, and 8<sup>1</sup> of sanitary rules and regulations No. 14, "To govern the keeping of houses, edifices, and outhouses in sanitary condition, and to regulate construction in cities, towns, and villages," are hereby substituted as follows:

"SEC. 6. When due to nonpayment of the water tax, in any house or building, the municipal government is obliged to shut off the water supply, the said municipal government, before doing so shall present to the director of sanitation a list of the tardy taxpayers, containing their names, residences, and amounts they owe, and as soon as the director of sanitation shall have received this list, he shall require of the owner, owners, or agent of said house or building that within the period of 24 hours from the time of the service of this notice, the water service shall be reestablished. If said owner, owners, or agent shall fail to comply with this necessary sanitary measure within the prescribed time, the director of sanitation or the sanitary authority upon whom it is incumbent shall proceed in accordance with the powers conferred by the law of sanitation in force and according to section 21 of this regulation."

ART. 2. In sections 23 and 24 of the same regulation, substitute "10 days" by "15 days."

ART. 3. Sections 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, and 33 shall be in the future sections 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, and 31, respectively.

**Health Certificates—Granting of. (Proclamation Aug. 2, 1915.)**

SECTION 1. In cases in which the sanitary regulations or laws require health certificates and no medical officer of the service of sanitation is available, said certificates may be granted by the municipal physician, or by any physician authorized to that effect by the director of sanitation: *Provided, however,* That the medical inspector or health officer may, in his discretion, annul a certificate or require a new physical examination.

SEC. 2. Violations of the provisions of these regulations shall be punished in accordance with section 33<sup>2</sup> of a "law to reorganize the service of sanitation," approved March 14, 1912.

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<sup>1</sup> Reprint No. 264 from the Public Health Reports, p. 421.

<sup>2</sup> Reprint No. 200 from the Public Health Reports, p. 185.

## **RHODE ISLAND.**

### **Occupational Diseases—Notification of Cases. (Chap. 1226, Act Apr. 23, 1915.)**

SECTION 1. Every physician in this State attending on or called in to visit a patient whom he believes to be suffering from poisoning from lead, phosphorus, arsenic, brass, wood alcohol, mercury, or their compounds, or from anthrax, or from compressed-air illness, or any other ailment or disease, contracted as a result of the nature of the patient's employment, shall within 48 hours of such attendance send to the State board of health a report stating:

- (a) Name, address, and occupation of patient.
- (b) Name, address, and business of employer.
- (c) Nature of disease.
- (d) Such other information as may be reasonably required by the State board of health.

The reports herein required shall be on or in conformity with the standard schedule blanks hereinafter provided for. The posting of the report, within the time required, in a stamped envelope addressed to the office of the State board of health, shall be a compliance with this section.

SEC. 2. The State board of health shall prepare and furnish, free of cost to the physicians included in section 1, standard schedule blanks for the reports required under this act. The form and contents of such blanks shall be determined by the State board of health.

SEC. 3. Reports made under this act shall not be evidence of the facts therein stated in any action arising out of the disease therein reported.

SEC. 4. It shall furthermore be the duty of the State board of health to transmit a copy of all such reports of occupational disease to the chief factory inspector.

SEC. 5. This act shall take effect on the first day of July, 1915.

### **Vaccination—Certificate from a Physician a Prerequisite for Attendance of Pupils at Public Schools. (Chap. 1201, Act Apr. 21, 1915.)**

SECTION 1. Section 10 of chapter 73 of the General Laws, entitled "General provisions relating to public schools," is hereby amended so as to read as follows:

"SEC. 10. No person shall be permitted to attend any public school in this State as a pupil unless such person shall furnish to the teacher of such school a certificate of some practicing physician that such person has been properly vaccinated as a protection from smallpox, or a certificate of a practicing physician, granted for cause stated therein, that such person is not a fit subject for vaccination; and every teacher in the public schools shall keep a record of the names of such pupils in their respective schools as have presented a certificate as required herein."

### **State Board of Health—Organization—Meetings—Compensation and Traveling Expenses. (Chap. 1267, Act Apr. 24, 1915.)**

SECTION 1. Section 4 of chapter 115 of the general laws, entitled "Of the State board of health," is hereby amended so as to read as follows:

SEC. 4. The board shall meet in the city of Providence once in three months, and as much oftener as they may deem necessary. The members of the board, except the secretary, shall receive as compensation for their services the sum of \$10, respec-



tively, for attendance at each meeting, or for conducting an examination, but no compensation shall be given for meetings oftener than once a month. The traveling expenses of any member, while engaged in the duties of the board, shall be paid by the State. And the sum of \$1,100, or so much thereof as may be necessary, is hereby annually appropriated for the purposes of this section, and the State auditor is hereby authorized and directed to draw his orders upon the general treasurer for the payment to the members of the State board of health for attendance at meetings or the conducting of examinations in accordance with the provisions of this section, upon certification to him by the president of the State board of health.

SEC. 2. Section 5 of chapter 115 of the General Laws, entitled "Of the State board of health," as amended by chapter 1056 of the Public Laws, passed at the January session, A. D. 1914, is hereby further amended so as to read as follows:

SEC. 5. The board shall organize by the election of a president, vice president, and secretary, and the various duties and powers, prescribed by law for the president shall in the event of his absence or inability be performed and exercised by the vice president. The president shall be ex officio chairman of the board. The secretary shall be a well-qualified physician and he shall be ex officio State registrar.

SEC. 3. This act shall take effect upon its passage, and all acts and parts of acts inconsistent herewith are hereby repealed, and the sum of \$1,100, or so much thereof as may be necessary be and the same is hereby appropriated, out of any money in the treasury not otherwise appropriated, for the purpose of carrying the provisions of this act into effect, during the fiscal year ending December 31, A. D. 1915; and the State auditor is hereby directed to draw his orders upon the general treasurer for the payment of said sum or so much thereof as may from time to time be required, in accordance with the provisions of section 1 of this act.

**State Board of Health—Rules Governing—Duties of Officers—Laboratory. (Reg. Bd. of H., May, 1915.)**

The officers of the board shall be elected by ballot at the annual meeting on the second Thursday of June in each year, and shall hold office for one year and until their successors have been elected and have qualified, but no person shall serve as president or vice president for more than two years consecutively.

**DUTIES OF OFFICERS.**

*President.*—It shall be the duty of the president to preside at all regular and special meetings of the board when present. He shall also take executive action in conjunction with the secretary in emergencies when it is not possible to convene the board. He shall, except as provided herein or unless otherwise provided for by vote of the board, appoint all committees. He shall be ex officio a member of all committees.

*Vice president.*—It shall be the duty of the vice president in the absence of the president to act as presiding officer. In the absence of the president, he shall be clothed with all the powers, duties and privileges appertaining to the office of president.

*Secretary.*—It shall be the duty of the secretary to keep a record of all the transactions of the board. He shall have custody of all books, papers, documents, and other property belonging to the board. He shall communicate when necessary with other State boards of health and with the local boards of health within the State. He shall file and keep all records received from said boards and all correspondence of the office appertaining to the business of the board: *Provided, however,* That all correspondence pertaining to routine work of examination in each department shall be referred to the head of such department and by him answered. He shall present a report in writing at every meeting of the business transacted during the preceding month and shall submit a detailed, itemized account of all moneys expended. A copy of this report shall be furnished to each member of the board at least 24 hours in advance of

the time for the regular meeting. He shall render such assistance to the various committees of the board as may be required by them. He shall prepare for presentation to the board for their approval, not later than February 1 of each year, the annual report of the State board of health.

#### COMMITTEES.

At the annual meeting of the board, or as soon thereafter as may be, the following standing committees shall be chosen by ballot: (1) Committee on expenditures; (2) committee on publications and education; (3) committee on law enforcement.

There shall be two elective members of the board upon each committee.

*Committee on expenditures.*—No financial obligations in excess of the amount appropriated monthly by the board shall be incurred without the consent of this committee. It shall prepare in January of each year a financial budget for the ensuing year and it shall see and approve all bills before they are presented to the board for approval. No expenditures in any department for more than \$50 shall be made without the consent of the committee on expenditures.

*Committee on publications and education.*—It shall be the duty of this committee to report upon the character of all literature to be purchased, issued, or distributed by the board; to authorize the use of the property of the board in health education, and to supervise and provide for the publication of the quarterly bulletin.

*Committee on law enforcement.*—It shall be the duty of this committee to take cognizance of all infractions of laws pertaining to the public health and take such steps as may be necessary for the prevention and punishment of such violations.

Reports of all committees shall be presented in writing and copies of such reports shall be furnished each member of the board prior to the day of meeting, at which action may be taken thereon. This rule may be suspended at any time by unanimous consent of the members present.

Regular meetings of the board shall be held on the second Thursday of each month at such hour as the board may designate, and unless otherwise ordered, shall be held at the offices of the board. Suitable accommodations shall be provided for the board conferences and a meeting place for committees. Special meetings may be called at any time by the president and shall be called by him upon the request in writing of two members of the board. In the call for special meetings the members of the board shall be notified of the purposes for which the same has been called, and no business shall be transacted other than that stated in said call. Members, except the secretary, shall receive \$10 for attendance at each meeting, or for conducting an examination, but no compensation shall be given for meetings oftener than once a month. Traveling expenses of the members are allowed.

#### ORDER OF BUSINESS.

The order of business shall be as follows:

Reading of the minutes of the last regular meeting and all meetings subsequent thereto.

Report of secretary.

Report of pathologist.

Report of chemist.

Reports of standing committees.

Reports of special committees.

Unfinished business.

New business.

General discussion.

Adjournment.

*Quorum.*—Four members shall constitute a quorum.

## LABORATORY.

The laboratory shall be known as the laboratory of the State board of health, wherein shall be made sanitary analyses, pathological, bacteriological, and chemical examinations and studies in hygiene and preventive medicine to aid in the enforcement of the health laws. There shall be two divisions of the laboratory, namely, the division of pathology and the division of chemistry.

All work done in the laboratory shall be exclusively and entirely for the public benefit and no fees shall be charged for such work. This shall not be construed so as to prevent the pathologist and chemist from doing such private consulting work as from time to time the board may permit.

*Laboratory, directors.*—The pathologist shall be the director of all pathological, bacteriological, and serological examinations of the laboratory. He may, subject to the approval of the board, employ such assistants other than provided by law as he may deem necessary.

The chemist and sanitary engineer shall conduct that department of the laboratory at present devoted to the examination of water supply and sewerage disposal and such other analytical work as may from time to time be required, subject to the approval of the board. He may employ, with the approval of the board, such assistants as he may deem necessary.

The pathologist and chemist shall report at every regular meeting of the board, and said reports shall be filed with the records of the meeting at which they were presented. The pathologist and the chemist shall present annually to the board, at its December meeting, an estimate of the expenditures of the departments for the ensuing year.

## THE LIBRARY.

All books and manuscripts now in the possession of the board shall be catalogued and be in the charge of the chief clerk. It shall be the duty of the chief clerk to report at the annual meeting of the board the condition of the library.

These rules may be altered or amended at any regular meeting of the board by a two-thirds vote and providing notice of said change has been given at a previous regular meeting.

**Common Drinking Cups and Common Towels—State Board of Health Authorized to Prohibit the Use of, in Public Places. (Chap. 1238, Act Apr. 23, 1915.)**

SECTION 1. Chapter 115 of the General Laws, entitled "Of the State board of health," is hereby amended by adding thereto the following section:

"SEC. 15. In order to prevent the spread of communicable diseases, the State board of health is hereby authorized to prohibit in such public places, vehicles or buildings as it may designate the use of a common drinking cup and a common towel and the board may establish rules and regulations for this purpose.

"Whoever violates the provisions of this section, or any rule or regulation of the State board of health made under authority hereof, shall be deemed guilty of a misdemeanor and be liable to a fine not exceeding \$25 for each offense."

**Foods and Drugs—Adulteration and Misbranding. (Chap. 1241, Act Apr. 23, 1915.)**

SECTION 1. Section 3 of chapter 183 of the General Laws, entitled "Of the maintenance of purity in foods and drugs, by prohibiting the manufacture or sale of adulterated, misbranded, or deleterious foods or drugs," is hereby amended so as to read as follows:

"SEC. 3. A drug shall be deemed to be adulterated:

"FIRST. If, when sold under or by a name recognized in the United States Pharmacopœia or National Formulary, it differs from the standard of strength, quality, or purity prescribed therein.

"SECOND. If its strength, quality, or purity falls below the professed standard under which it is sold: *Provided*, That in no case shall a drug be deemed to be adulterated, as differing from such professed standard, when the variation is caused by the evaporation of any volatile ingredient or by other changes beyond control, happening after the manufacture of the same: *Provided*, That due care be taken to preserve its integrity."

SEC. 2. Section 5 of said chapter 183 of the General Laws is hereby amended so as to read as follows:

"SEC. 5. Confectionery shall also be deemed to be adulterated if it contains terra alba, barytes, talc, chrome yellow, or other mineral substances or poisonous colors or flavors or other ingredients deleterious or detrimental to health, or any vinous, malt, or spirituous liquor or compound or narcotic drug."

SEC. 3. Section 9 of said chapter 183 of the General Laws is hereby amended so as to read as follows:

"SEC. 9. Any article of food or any drug that is adulterated or misbranded within the meaning of this chapter, or which is decayed, diseased, unwholesome or unfit for food, may be seized and destroyed by any commissioner or other officer or agent appointed hereunder in the performance of his duty. All such seizures shall be at once reported to said board of food and drug commissioners by any commissioner or other officer or agent making such seizures, and a complete record of such seizure shall be kept in the office of said board: *Provided, however*, That any such commissioner or other officer or agent making such seizure shall, upon request of the owner of any such article or upon the request of said owner's agent or servant, permit such owner, his agent, or servant to retain a sample of any such article, and such commissioner or other officer or agent shall retain such article for the period of two hours for examination by such person or persons as said owner or his agent or servant may select. Said commissioner or other officer or agent at the expiration of two hours after seizure of any such article shall treat such article in a manner to render it impossible to use such article for human consumption: *Provided, however*, That said board of food and drug commissioners may in its discretion order said article so seized to be sold and the proceeds thereof, less the legal costs and charges, shall be paid into the treasury of the State: *And provided further, however*, That upon payment of the costs of such proceedings, and the execution and delivery of a good and sufficient bond payable to the State to the effect that such articles or drugs shall not be sold or otherwise used or disposed of contrary to the provisions of this chapter, said board of food and drug commissioners may direct that such articles or drugs be delivered to the owner thereof. Any owner of any articles of food or drugs so seized may demand trial by jury of any issue of fact in such case, and all such proceedings shall be at the suit of and in the name of the State."

SEC. 4. Section 12 of said chapter 183 of the General Laws is hereby amended so as to read as follows:

"SEC. 12. It shall be the duty of said board of food and drug commissioners to enforce the provisions of this chapter and to prosecute every person, firm, or corporation violating the same and for this purpose said board may employ experts if necessary. Any member of said commission may make complaints for any violation of the provisions of this chapter and such commissioner making such complaint shall not be required to give surety for the payment of costs. They shall adopt such rules consistent with the provisions of this chapter as may be necessary for its enforcement, and shall adopt rules regulating minimum standards of strength, purity, and quality for food and drugs, defining specific adulterations when such standards are not specified or fixed under this chapter or by the laws of this State, and subject to the provisions of this chapter, declaring the proper methods of collecting and examining drugs and articles of food; but such rules and standards shall not be more stringent than, nor conflict with, the rules and standards adopted, or which may hereafter be adopted, for the enforcement of the food and drug act of the United States, approved June 30, 1906, or of any food and drug act of the United States hereafter in force,

regulating the misbranding or adulteration of food and drug products for interstate commerce: *Provided, however,* That in prosecutions under this chapter, when the strength, quality, or purity of a drug or an article of food is in issue and the standard of strength, quality, or purity of such drug or article of food is fixed by said board, proof that such drug or article of food is below the standard of strength, quality, or purity fixed by said board shall be evidence that such drug or article of food is adulterated within the meaning of this chapter.

"The said commissioners shall have an office in the statehouse. They shall be allowed such office, traveling, and personal expenses as may be approved by the governor, to be paid, upon the order of the State auditor, out of any money in the treasury not otherwise appropriated.

"They shall meet at least once in three months and as much oftener as may be necessary. They shall biennially organize by the election of a chairman and an executive secretary, who shall be a practical chemist. Said board shall have authority to appoint such other agents as may be necessary to assist in the enforcement of this chapter. Said executive secretary and agents shall work under the direction of the said board of commissioners and shall perform such duties as the said board shall prescribe for them to perform."

**Cold-Storage Eggs—Sale of—Labeling Required. (Chap. 1190, Act Apr. 8, 1915.)**

SECTION 1. The term "cold storage eggs" as used in this act shall be construed to mean eggs that have been artificially cooled for 30 days or more at or below a temperature of 40° Fahrenheit, and no other eggs shall be sold as "cold storage eggs."

SEC. 2. Whenever "cold storage eggs" are sold at wholesale or retail or offered or exposed for sale, the case, package, box or other container in which the eggs are placed or delivered shall be marked plainly and conspicuously with the words "cold storage eggs," or there shall be attached to such container a placard or sign having on it the said words. If "cold storage eggs" are sold at retail or offered or exposed for sale without a container, or placed upon a counter or elsewhere, a sign or placard having the words "cold storage eggs" plainly and conspicuously marked upon it shall be displayed in, upon, or immediately above the said eggs; the display of the words "cold storage eggs" as required by this act shall be in letters not less than 1 inch in height and shall be done in such a manner as is approved by the board of food and drug commissioners.

SEC. 3. Any person, firm, or corporation violating any of the provisions of this act shall be punished by a fine of not less than \$10 nor more than \$100 for each offense.

SEC. 4. The board of food and drug commissioners shall have the same duties and powers relative to the making of rules and regulations hereunder and relative to the enforcement of this act as is or shall be conferred upon them by chapter 183 of the General Laws with reference to other foods.

SEC. 5. Complaints for the violation of the provisions of chapter 183 of the General Laws and any amendments thereof, or additions thereto, may be made by any person, and if made by a member of the board of food and drug commissioners said member shall be exempt from giving surety for costs on any such complaint.

SEC. 6. This act shall take effect September 1, 1915, and all acts and parts of acts inconsistent herewith are hereby repealed.

**Wood Alcohol—Labeling—Sale of Articles for External or Internal Use Containing Wood Alcohol Prohibited. (Chap. 1183, Act Mar. 12, 1915.)**

SECTION 1. Sections 1 and 2 of chapter 834 of the Public Laws, passed at the January session, A. D. 1912, entitled "An act in relation to the sale of wood alcohol," are hereby amended so as to read as follows:

"SECTION 1. Any person who sells, exchanges, or delivers to another person any wood alcohol, sometimes known as methyl alcohol, shall affix to the vessel or con-

tainer holding the same a label bearing the words 'wood alcohol poison,' printed or written thereon in letters not less than one-fourth of an inch in height, and in addition thereto the words 'it is unlawful to use this fluid in any article of food or drink, or in any medicinal or toilet preparation intended to be used internally or externally,' printed or written thereon in letters not less than one-eighth of an inch in height. Any person violating the provisions of this section shall be fined not less than \$50 nor more than \$500.

"SEC. 2. Any person who sells, exchanges or delivers or has in his possession with intent to sell, exchange or deliver, any article of food or drink, or any drug, intended for external or internal use, or perfumes or toilet articles, containing any wood alcohol, sometimes known as methyl alcohol, shall be punished by a fine of not less than \$50, nor more than \$500, or by imprisonment for not more than six months, or by both such fine and imprisonment."

SEC. 2. It shall be the duty of the board of food and drug commissioners to prosecute any person, firm, or corporation violating the provisions of this chapter, and any member of said board may make complaint for the violation of the provisions of this chapter, and such commissioner making such complaint shall not be required to give surety for the payment of costs.

**Births, Deaths, and Marriages—Registration of—Annual Report. (Chap. 1239, Act Apr. 23, 1915.)**

SECTION 1. Section 2 of chapter 121 of the General Laws, entitled "Of the registration of births, deaths, and marriages," is hereby amended so as to read as follows:

"SEC. 2. The secretary of the State board of health shall receive the returns made in pursuance of the preceding section, and annually make a general abstract and report thereof, in form as prescribed by section 3 of this chapter, and publish and print not exceeding 1,000 copies thereof; and for preparing, tabulating, and publishing said annual report, including all clerical assistance needed therefor and the printing and binding of said report, the sum of \$1,700 is hereby annually appropriated to be paid to the State registrar. Said returns, after such report is prepared, shall be deposited in the office of the secretary of State, who shall cause the same to be arranged, full alphabetical indices of all the names to be made, and the whole to be bound in volumes of convenient size and carefully preserved in his office."

SEC. 2. The item of section 2 of chapter 363 of the General Laws, entitled "Of salaries and clerical assistance and of appropriations," which refers to the payment of money to the State registrar, and which item reads "State registrar, for preparing, tabulating, and publishing his annual report, \$1,000," is hereby repealed.

SEC. 3. For the purpose of carrying out the provisions of this act the sum of \$700, in addition to the sum of \$1,000 heretofore appropriated to the State registrar for preparing, tabulating, and publishing his annual report, be and the same hereby is appropriated, out of any money in the treasury not otherwise appropriated; and the State auditor is hereby directed to draw his orders upon the general treasurer for the payment of said sum upon the receipt by him of proper vouchers approved by the secretary of state.

**Practice of Medicine or Surgery—Examination and License by State Board of Health. (Chap. 1216, Act Apr. 22, 1915.)**

SECTION 1. Section 3 of chapter 193 of the General Laws, entitled "Of the practice of medicine," as amended by chapter 1057 of the Public Laws, passed at the January session, A. D. 1914, is hereby amended so as to read as follows:

"SEC. 3. Authority to practice medicine under this chapter shall be a certificate from the State board of health, and said board shall, upon application, after examination, issue a certificate signed by the president and countersigned by the secretary

of said board to any reputable physician who intends to practice medicine or surgery in this State who presents satisfactory evidence of graduation from a medical school in good standing and who shall present himself before the State board of Health and pass in a satisfactory manner such examination as said board may require: *Provided, however,* That the provisions of this section shall not apply to any person lawfully engaged in the practice of **medicine or surgery** in this State on the 22d day of May, 1908. Any physician so presenting himself for examination shall present to said board a receipt of the general treasurer that he has paid into the State treasury the sum of \$20 as a fee for such examination, and said fee shall in no case be returned: *Provided, however,* That an applicant who fails to pass an examination satisfactory to the board, and is therefore refused registration, shall be entitled, within one year after such refusal, to a reexamination at a meeting of the board called for the examination of applicants, without the payment of an additional fee."

## SOUTH CAROLINA.

### County Jails and State Penal and Charitable Institutions—Prisoners and Inmates— Separation of the Tuberculous from the Nontuberculous. (Act No. 136, Mar. 11, 1915.)

SECTION 1. *Separate accommodations for prisoners with tuberculosis.*—That the county supervisors and county commissioners of the respective counties of South Carolina shall provide in the jails or places of confinement where prisoners are committed for keeping, or sentenced to a term of imprisonment, separate cells or rooms or places in which shall be confined all prisoners who may be committed for keeping or sentenced to a term of imprisonment who are affected with tuberculosis.

SEC. 2. *Examination of prisoners by physician.*—That it shall be the duty of the county supervisor or sheriff of any county when a prisoner or inmate is placed in his custody, who the said official has reason to suspect is suffering with tuberculosis, to have such prisoner or inmate examined by a physician, and if such prisoner or inmate shall be pronounced by the examining physician as a tuberculosis person, then the prisoner or inmate shall be placed in a cell or place provided for by this act.

SEC. 3. *Superintendents and boards of directors to provide separate places of confinement.*—That it shall be the duty of superintendents and boards of directors of all State, penal, and charitable institutions to provide separate places of confinement for all prisoners and inmate [sic] who have been pronounced by the physician in charge as a tuberculosis person.

SEC. 4. *Cells of tuberculosis prisoners not to be used for other prisoners; fumigation.*—That all cells and places of confinement provided for in this act for tuberculosis prisoners and inmates shall under no conditions be used for the imprisonment or keeping of persons who are well and not affected with tuberculosis, unless the said cells and places of confinement have been thoroughly fumigated and disinfected.

SEC. 5. *Examination of prisoners within five days.*—That it shall be the duty of the jailer, keeper, or warden of all places of confinement designated in this act to have all prisoners and inmates who are suspected to be suffering with tuberculosis examined within five days after they have been committed.

SEC. 6. *Association of prisoners on public works not prohibited.*—That nothing in this act shall be construed as to interfere with or prevent the county authorities from working or housing together all prisoners on public works as now provided by law.

SEC. 7. *Punishment for violation.*—That any person or persons violating the provisions of this act shall be guilty of a misdemeanor, and shall, upon conviction thereof, be fined or imprisoned in the discretion of the court.

SEC. 8. *Inconsistent acts repealed.*—That all acts and parts of acts inconsistent with this act be, and the same are hereby, repealed.

SEC. 9. *Effective June 1, 1915.*—This act shall go into effect on the first day of June, 1915.

### State Board of Health—Appropriations. (Act No. 165, Feb. 20, 1915.)

The following appropriations are for the calendar year 1915:

#### SEC. 17. *Health department.*—

Item 1. Salary of State health officer .....	\$3,000.00
Item 2. Traveling expenses of State health officer .....	1,000.00
Item 3. Salary of clerk .....	720.00
Item 4. Expenses of State board of health .....	2,000.00



Item 5. Contingent fund for protection against spread of contagious and infectious diseases, tuberculosis, and spinal meningitis, free distribution of diphtheria antitoxin, to be expended at discretion of the State board of health, under the supervision of the governor. \$20,000.00	
The State board of health is hereby required to furnish to the governor quarterly an itemized statement of the expenditures and, upon request from the governor, their reasons for their expenditures.	
Item 6. Deficit for 1914.....	6,500.00
Item 7. Director of State laboratory.....	2,500.00
Item 8. Salary of janitor.....	456.25
Item 9. For the erection and maintenance of a tuberculosis camp by the State board of health, to be located on the land now owned by or hereafter donated to the State.....	10,000.00
Item 10. For free beds at the tuberculosis camp, to be awarded to the State board of health....	1,000.00
Item 11. Printing, postage, and stationery.....	1,000.00
Item 12. Maintenance of bureau of vital statistics.....	5,000.00
Item 13. Salary of bacteriologist for laboratory.....	1,500.00
Total.....	54,676.25

#### Boards of Health in Cities and Towns—Organization. (Act No. 101, Feb. 20, 1915.)

SECTION 1. *Section 1591, volume 1, code of laws, 1912, amended.*—That section 1591, volume 1, code of laws, 1912, be, and the same is hereby, amended by adding at the end of said section the following: "*Provided further*, That in the city of Orangeburg the board of health shall consist of three members, one of whom shall be a reputable physician of not less than two years' standing in the practice of his profession, and that the chairman of the board of health shall receive such compensation annually as shall be fixed by the city council of Orangeburg" [sic], not exceeding \$200 per annum, so that as amended said section shall read as follows:

SEC. 1591. *Appointment of board of health in cities and towns; term; special provision for Orangeburg.*—It shall be the duty of the mayor or intendant of every incorporated city, town, or village in the State of South Carolina to appoint, by and with the consent of the city or town council of every such city, town, or village, five persons, not members of such council in cities or towns of 5,000 or less population, and in cities exceeding 5,000 in population the number may be increased to 20, as the city may determine, one or more of whom shall be reputable physicians of not less than two years' standing in the practice of his profession. The mayor or intendant of said city or town shall designate one-fifth of the members of the board to serve one year, one-fifth to serve for two years, one-fifth to serve for three years, one-fifth to serve for four years, and one-fifth to serve for five years, and thereafter one-fifth of the number of said board shall be appointed annually to serve for five years. The members shall serve without compensation; and in case any one of these, after accepting and being duly appointed, shall refuse to qualify and serve on the board, he shall be subject to a fine of \$25, to be imposed and collected by the town council: *Provided, however*, That in all cases of vacancies on said board occurring from any cause at any time said vacancies shall be filled in the manner hereinbefore prescribed by appointment for the unexpired term or terms, as aforesaid: *Provided further*, That in the city of Orangeburg the board of health shall consist of three members, one of whom shall be a reputable physician of not less than two years' standing in the practice of his profession, and that the chairman of the board of health shall receive such compensation annually as shall be fixed by the city council of Orangeburg, not exceeding \$200 per annum.

## **SOUTH DAKOTA.**

### **County Boards of Health—Powers and Duties. (Chap. 133, Act Mar. 11, 1915.)**

**SECTION 1.** That section 250 of the Revised Political Code of 1903, as same was amended by chapter 110 of the Session Laws of South Dakota of 1913, be and the same is hereby amended to read as follows:

**SEC. 250.** The several county boards of health shall have power within their respective counties, subject to the supervisory control of the State board of public health and medical examiners, to:

1. Enforce any and all needful rules and regulations made by the State board of public health and medical examiners for the prevention and cure, and to prevent the spread of contagious disease.

2. Establish quarantine and isolate any person afflicted with a contagious or infectious disease.

3. Remove or cause to be removed any dead, decaying or putrid body, or any decayed, putrid, or other substance that may endanger the health of persons or domestic animals.

4. Appoint all duly licensed physicians within the county deputies with powers to quarantine any and all cases of infectious, contagious, or communicable diseases, which are now subject to quarantine pursuant to the rules and regulations of the State board of public health and medical examiners, heretofore or hereafter adopted. That for all services rendered in quarantining, as aforesaid, said deputies shall be entitled to the sum of \$1 for each premises so quarantined. The said county board shall also have authority to delegate to any person or physician within the county the power and authority to release quarantine, under the supervision of said county board, to fumigate premises and to do any and all other things that may be necessary to protect the health of the public.

**SEC. 2.** That section 252 of the Revised Political Code of 1903, as the same was amended by chapter 110 of the Session Laws of South Dakota of 1913, be and the same is hereby amended to read as follows:

**SEC. 252.** The president of the county board of health shall receive no other compensation than that which is provided for. He shall receive 5 cents for every mile actually and necessarily traveled in the performance of his duties as a member of said board. The superintendent of the county board of health shall receive 20 cents for every mile actually and necessarily traveled, by the nearest route, in the performance of his duties and when not the attending physician, which mileage shall be in lieu of all compensation of traveling expenses; that said superintendent or the vice president of the county board of health, if he performs the duties of the superintendent, shall receive such other sums as the board of county commissioners may allow: *Provided*, That for each investigation, visit, or examination necessarily made under the provisions of the rules and regulations adopted by the State board of public health and medical examiners and approved by the attorney general, and when no investigation, visit, or examination has been made by any other member of the county board of health or any deputy appointed under the provisions of this act, the superintendent of the county board of health or the vice president, if he performs the duties of the superintendent, shall receive the sum of \$5. The superintendent shall also receive the sum of \$5 per month for making the daily reports and keeping the records of his office as required by the rules and regulations of the State board of public health and medical

examiners, and he or the vice president, if he performs the duties of the superintendent, shall further receive such other sum or sums as he may pay or become liable to pay for medicine, chemicals, drugs, or appliances in carrying out and performing the various duties imposed upon him by law, which together with other expenses shall be audited by the board of county commissioners and paid as other county expenses.

SEC. 3. Any superintendent or vice president of the county board of health, or any deputy appointed under the provisions of section 1 of this act, failing to quarantine any and all cases of infectious, contagious, or communicable diseases, which are now or may hereafter be subject to quarantine, pursuant to the rules and regulations of the State board of public health and medical examiners, when they shall have actual notice thereof, shall be deemed guilty of a misdemeanor and upon conviction thereof be fined in any sum not exceeding \$100.

**Habit-Forming Drugs—Sale and Dispensing.** (Chap. 161, Act Mar. 9, 1915.)

An act to regulate the sale, barter, distribution, storing, or giving away of opium, coca leaves, or any compound, manufacture, salt, derivative, or preparation thereof; and providing penalties for the violation thereof.

This law was published in the Public Health Reports for March 10, 1916, on page 672.

**Poisons—Sale of, by Persons Other Than Registered Pharmacists.** (Chap. 160, Act Mar. 5, 1915.)

An act governing the sale of certain poisonous drugs in common use, by persons other than registered pharmacists.

This law was published in the Public Health Reports for March 10, 1916, on page 671.

**Wood Alcohol—Sale and Labeling.** (Chap. 307, Act Mar. 6, 1915.)

An act to regulate the labeling and selling of wood alcohol, otherwise known as methyl alcohol or wood naphtha, providing penalties for violation thereof and providing for the enforcement thereof.

This law was published in the Public Health Reports for March 10, 1916, on page 676.

**Births, Deaths, and Marriages—State Registrar—Fees of County Registrars.** (Chap. 109, Act Feb. 18, 1915.)

SECTION 1. That section 1 of chapter 63 of the laws of 1905 is hereby amended to read as follows:

SECTION 1. The secretary of the State historical society is hereby constituted ex-officio superintendent of census and vital statistics for the State of South Dakota, who shall take and subscribe an oath that he will perform the duties of said office to the best of his ability and shall give to the State a bond in some approved surety company in the sum of \$5,000, the premium upon which said bond shall be paid from the expense fund provided for the department of history. Such bond and oath shall be duly filed with the secretary of state. Said secretary of the State historical society and superintendent of census and vital statistics shall receive an annual salary of \$2,000, which shall be in full compensation for all services rendered to the State.

SEC. 2. That section 22 of chapter 63 of the laws of 1905 is hereby amended as follows:

SEC. 22. It shall be the duty of the superintendent of census and vital statistics to receive the primary certificates of births and deaths and the reports of the marriages, divorces, and naturalizations from the several clerks of courts of the State, and to number, index, and bind the same in substantial covers and carefully preserve the same at the State capitol and at the close of each calendar year to report to the governor a complete summary properly tabulated of the information received. Such reports shall be published as are the reports of other State officers.

SEC. 3. That section 24 of chapter 63 of the laws of 1905 be amended to read as follows:

SEC. 24. It shall be the duty of the clerk of courts to make complete lists from his records of all persons who have returned primary birth and death certificates and issued burial or transportation permits in his county during the previous year and to certify the amount due each person, including his own fees as provided in this act, and having certified to the correctness of the same shall present it to the county commissioners at the first meeting after December 31 each year which amounts shall be allowed by the boards of county commissioners of the several counties of the State and warrants for the amounts due each such person shall be issued; it being the purpose of this act to grant the clerks of courts the vital statistics fees provided for such officers by this act in addition to the regular salary as fixed by law.

**Burial—Vaults and Mausoleums—Construction and Maintenance. (Chap. 248, Act Feb. 18, 1915.)**

SECTION 1. That hereafter when any person, firm or corporation, shall desire to build, construct, or erect any mausoleum, vault, or other burial structure, the same to be built or constructed, entirely above ground, or partly above and partly excavation and to be built, constructed, and erected so that the same may contain 20 or more deceased human bodies, for permanent interment, before proceeding to build, construct or erect such mausoleum, vault, or other structure, shall present all plans for such construction to the State Board of Health of the State of South Dakota, and if approved by such board, may proceed with the construction and erection of such mausoleum, vault, or other structure. No such mausoleum, vault, or other structure for the burial of the dead shall be erected other than in accordance with the plans for such construction approved by the State board of health.

SEC. 2. All crypts or catacombs, if any be placed in such mausoleum, vault, or other structure, shall be so constructed that all parts thereof may be readily examined by the State board of health or any other health officer, and such crypts or catacombs shall be hermetically sealed, after deceased body or bodies shall have been placed therein, that no offensive or unhealthful odor or effluvia may escape therefrom.

SEC. 3. Should any person, firm, or corporation fail to hermetically seal such crypts or catacombs, so placed or constructed in such mausoleum, vault, or other burial structure and by reason of such failure offensive odor or effluvia arise therefrom, such State board of health, or any other health officer of the State, county, or city in which such mausoleum, vault, or other burial structure shall be situated, shall upon the complaint of any resident of the township or city where such mausoleum, vault, or other burial structures may be situated, compel the sexton or other person in charge of said mausoleum, vault, or other burial structure, to immediately remove said deceased body or bodies therefrom and properly inter same at the expense of the person, firm, or corporation owning such mausoleum, vault, or other burial structure. And if no such person, firm, or corporation may be found in the county where the same may be located then such interment shall be at the expense of the county where such mausoleum, vault, or other burial structure may be situated.

SEC. 4. Any person, firm, or corporation who shall fail or refuse to comply with the provisions of this act, may be fined in any sum not exceeding \$500 to which may be added imprisonment in the county jail six months.

**Hotels, Restaurants, and Rooming Houses—Sanitary Regulation. (Chap. 215, Act Mar. 10, 1915.)**

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8. It shall be the duty of every person, persons, firm, or corporation conducting or operating a hotel, restaurant, or rooming house in this State to see that the drinking water supplied by such hotel, restaurant, or rooming house is pure and free from disease germs. The source of supply must be far enough removed from privy vaults, cess-

pools, or other means of contamination to prevent drainage from such vaults, cess-pools, or other means of contamination reaching the wells or other source of water supply, and the water shall be subject to inspection and examination by the State food and drug commissioner, and when found by such inspection or examination to be unfit for drinking purposes it shall be condemned and its use for drinking purposes must be discontinued forthwith.

9. Every hotel, rooming house, and restaurant in this State shall be properly plumbed, lighted, and ventilated, and shall be conducted in every department with strict regard to health, comfort, and safety of the guests: *Provided*, That such proper lighting shall be construed to apply to both daylight and artificial illumination, and that such proper plumbing shall be constructed [sic] and construed to mean that all plumbing and drainage shall be constructed and plumbed according to approved sanitary principles. And that such proper ventilation shall be construed to mean at least one door and one window that can be easily opened from the inside in each sleeping room, according to the instructions of the State food and drug commissioner.

In buildings hereafter to be constructed or remodeled into hotels or rooming houses no room shall be used for a sleeping room which does not open to the outside of the building or upon light wells, air shafts, or courts; and all sleeping rooms shall have at least one window and one door; also a transom as wide as the door leading into the hallway: *Provided*, That no skylight placed in the ceiling of a room shall be approved or accepted as a window within the meaning of this section.

Every person, persons, firm, or corporation who shall construct or remodel or cause to be constructed or remodeled any building to be used for a hotel or rooming house shall first obtain the approval of the State food and drug commissioner of the plumbing and standpipes to be used for fire protection, and of the plans for ventilation and lighting.

10. In all cities, towns, and villages where a system of waterworks and sewerage is maintained for public use, every hotel, rooming house, and restaurant therein shall within six months after the passage of this act be equipped with suitable water-closets for the accommodation of its guests, which water closet or closets shall be connected by proper plumbing with such sewerage system and shall be equipped with separate ventilating flue and means of flushing such water closet or closets with water of said system in such a manner as to prevent sewer gas or effluvia from rising therefrom. All lavatories, bath tubs, sinks, drains, closets, and urinals in such hotels, rooming houses, or restaurants must be connected and equipped in a similar manner both as to methods and time, and shall be maintained in a clean and sanitary condition.

11. In all cities, towns, and villages not having a system of waterworks, every hotel, rooming house, or restaurant shall have properly constructed privies or over vaults to receive the night soil, the same to be kept clean and well screened at all times and free from filth of every kind. Separate apartments shall be furnished for sexes, each properly designated.

12. Each and every hotel and restaurant in this State shall be provided with a public wash room, convenient and of easy access to guests. For the use of guests at all such hotels and restaurants, individual towels of washable material, not less than 10 by 15 inches in size after laundering, shall be provided in such wash rooms: *Provided*, That the use of any roller towel or other common towel designed or intended to be used by more than one person is prohibited in such public wash rooms, unless it be kept clean and in a sanitary condition. All hotels and rooming houses shall furnish in each bedroom not less than two clean individual towels as described above, together with clean water and suitable equipment for washing. No comb or brush to be used in common by guests or employees for combing or brushing the hair, shall be permitted in any such public wash room. No cup, vessel, or other receptacle to be used promiscuously as a common drinking cup shall be furnished or suffered or permitted to be used in any hotel, restaurant, lunch room, rooming house, or public building in this State.

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17. All bedding, including mattresses, quilts, blankets, pillows, sheets and comforts and all carpets, rugs, and other floor coverings used in any hotel or rooming house in this State shall be thoroughly aired, disinfected, and cleaned as often as may be necessary to keep the same in a clean and sanitary condition. No room in any hotel or rooming house or restaurant shall be suffered or permitted to be infested with vermin or bedbugs; and whenever bedbugs or vermin are found to exist in any room, wall or ceiling of such places the same shall be fumigated, disinfected, and renovated until said vermin or bedbugs or both are exterminated.

Whenever any room in any hotel or rooming house shall have been occupied by any person affected with smallpox, diphtheria, scarlet fever, yellow fever, tuberculosis or consumption, bubonic plague, Asiatic cholera, leprosy, trachoma, typhoid fever, epidemic dysentery, measles, mumps, German measles, whooping cough, chickenpox, or any other infectious or contagious disease, the said room shall be thoroughly fumigated and disinfected under the direction of the local health officer, and all bedding therein thoroughly disinfected before said room shall be occupied by another person; but in any event such room shall not be let to any person for at least 48 hours after such fumigation and disinfection.

18. Every kitchen, dining room, and lunch counter in all such hotels, restaurants, or other public places where food is prepared and served shall be kept in a clean and sanitary condition. The premises surrounding every kitchen where food is prepared for public consumption must be kept in a clean and sanitary condition. No slops nor any refuse from food may be deposited within 50 feet of the rear entrance of any such kitchen, and all such refuse must be deposited in water-tight receptacles provided with covers to prevent access of flies to the refuse. All such containers must be emptied and the contents hauled away from the premises not less than twice each week during the months of April, May, June, July, August, September, October, and November. All doors, windows, and other openings leading to such kitchen and dining rooms must be provided with effective fly screens and every possible effort shall be used to keep flies from kitchen and dining rooms. The floors, walls, closets, cupboards, and refrigerators of all kitchens, pantries, and sculleries shall at all times be kept free from dirt and no dust or grease shall be allowed to collect thereon; and all kitchen appliances, blocks, tables, utensils, and dishes shall be thoroughly cleaned after use and be kept in a clean and sanitary condition. No rusted tin or iron vessel or unclean vessel shall be used in cooking food, and all foodstuffs shall be kept in a clean and suitable place, free from dampness and contact with dirty water, foul air, or other contamination: *Provided*, That no lunches shall be permitted to be served in any pool hall unless the lunch counter and all food supplies and utensils shall be kept in a portion of the room separated by a partition of wood, glass, or metal from the remainder of the said pool hall.

19. When cuspidors for the use of guests, employees, or other persons, are provided in the lobby, office, or other portions of hotels, restaurants, lunch rooms, and rooming houses, each cuspidor shall be emptied and thoroughly washed daily with disinfectant solution and 5 ounces of such solution shall be left in each cuspidor while it is in use. No guest, employee, or other person shall expectorate within any building used as a hotel, restaurant, lunch room, or rooming house except in cuspidors as provided herein. No cuspidors shall be permitted to be used as herein provided except cuspidors made of metal, porcelain, or other impervious material with smooth surface.

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21. The State's attorney of each county in this State is hereby authorized and required upon complaint on oath of the State food and drug commissioner or other person to prosecute to termination before any court of competent jurisdiction in the name of the State of South Dakota a proper action or proceeding against any person or persons violating the provisions of this act.

**Pollution of Streams, Lakes, and Other Bodies of Water—Prevention of. (Reg. 174, Bd. of H., July 16, 1915.)**

1. No sewage, drainage, domestic, factory, or industrial refuse, excremental or other polluting matters of any kind whatsoever, which, either by itself or in connection with other matter, corrupts or impairs or tends to corrupt or impair, the water so as to render its use, or the use of ice formed therefrom, detrimental or dangerous to health, shall be placed in or discharged into any river, brook, stream, or tributary branch thereof, or of any lake, pond, or other public stream or body of water, within or abounding the State of South Dakota, from which water or ice is, or may be, taken for domestic purposes.

2. No sewage, drainage, domestic or industrial refuse, excremental or other polluting matters of any kind whatsoever, which, either by itself or in connection with other matter, corrupts or pollutes, or tends to corrupt or pollute the water thereof, shall be placed in or discharged into any river, brook, stream, or of any tributary or branch thereof, or of any lake, pond, or other public stream or body of water, within or bounding the State of South Dakota, so as to render same injurious or dangerous to the public health.

3. Complaint may be made to the State board of health of the violation of the provisions of the foregoing regulations. Whenever the county board of health of any county of the State or the health officer or board of any city or town of the State, or 10 per cent of the electors of any county, city, or town of the State, shall file with the State board of health a complaint in writing, setting forth that the waters of any river, brook, stream, or tributary or branch thereof, or of any lake, pond, or other public stream or body of water are corrupted, impaired, or polluted as prohibited in the foregoing sections, and specify the causes thereof, the State board of health, if it deems such complaint sufficient and warranted will make an order appointing a hearing thereon and the superintendent shall give such notice of said hearing by posting, publishing, or otherwise, as the board by its order shall prescribe. At such hearing any party interested may appear and be heard with reference thereto. The State board of health will thereupon make its findings, and with the approval of the attorney general make such regulations and directions as shall be required to prevent the corruption and pollution of said waters.

4. The State board of health will proceed of its own motion, when deemed necessary to protect the public health, to investigate alleged pollution of streams or public waters of the State, whether with or without a hearing, as the board deems best, and make, with the approval of the attorney general, such regulations as it deems necessary in any such case.

## **TENNESSEE.**

### **Ophthalmia Neonatorum—Notification of Cases—Prevention of. (Chap. 52, Act Apr. 3, 1915.)**

SECTION 1. It shall be the duty of the State board of health to officially name and approve a prophylaxis (or preventive) to be used in treating the eyes of newly-born children for preventing ophthalmia neonatorum (or for preventing blindness); and it shall be the duty of the board of health to publish instructions for using the same.

SEC. 2. That it shall be the duty of any physician, nurse, or midwife, who shall assist and be in charge at the birth of any infant, or have the care of the same after birth, to treat the eyes of the infant with a prophylaxis approved by the State board of health; and such a treatment shall be given as soon as practicable after the birth of the infant and always within one hour; and if any redness, swelling, inflammation, or gathering of pus shall appear in the eyes of such infant or upon the lid or about the eyes within two weeks after birth, then any nurse, midwife, or other person, having care of the infant, shall report the same to the local health officer or some competent practicing physician within six hours after its discovery.

SEC. 3. That any failure to comply with the provisions of section 2 of this act shall be a misdemeanor, punishable, upon indictment and conviction, by a fine of not less than \$5 nor more than \$100 or imprisonment in the county jail not to exceed six months, or both, in the discretion of the court.

### **Ophthalmia Neonatorum—Designation of Standard Prophylactic by State Board of Health. (Reg. Bd. of H., May 3, 1915.)**

In accordance with the provisions of chapter 52, Public Acts 1915, the State board of health of Tennessee hereby designates and approves either of the following solutions as standard prophylactic against ophthalmia neonatorum:

Silver nitrate, 1 per cent solution.

Argyrol 15 per cent solution.

### **State Tuberculosis Sanatorium—Establishment—Appointment, Duties, and Salaries of Board of Commissioners. (Chap. 146, Act May 17, 1915.)**

SECTION 1. That there shall be established as soon as practicable after the passage of this act an institution for the treatment of pulmonary tuberculosis to be located in some suitable portion of the State and to be known as the "Tennessee State Sanatorium for the Treatment of Pulmonary Tuberculosis."

SEC. 2. That for the purpose of procuring lands for said institution, improving same, erecting buildings, purchasing furniture and other articles required, paying an architect, and for carrying into effect generally the provisions of this act, there is hereby appropriated out of any money in the State treasury not otherwise appropriated the sum of \$50,000, and a superintendent's salary of not over \$2,400, which shall be paid in monthly installments.

SEC. 3. That upon the passage and taking effect of this act the governor shall appoint five commissioners, not less than two of whom shall be practicing physicians of good repute, and they shall be known as "commissioners for the State sanatorium for the treatment of pulmonary tuberculosis." Said commissioners, for the purposes set forth in this act, shall be authorized to contract and be contracted with, sue and be sued, and the governor shall notify said commissioners of their appointment and



shall fix a time and place for the first meeting of said board of commissioners not to exceed 30 days from the date of said notice.

SEC. 4. That the governor shall have power to fill all vacancies in said board of commissioners which may occur by death, resignation, failure or refusal to act, or from any cause whatsoever, and said commissioners shall receive \$5 per day for their services while actually engaged in the discharge of their duties under this act, together with their traveling and other necessary expenses. At the expiration of every three months the said commissioners shall each make out an itemized statement of their account, verified by affidavit, and present the same to the governor, who shall, if found to be true, indorse his approval thereon, which account so certified and approved shall be filed in the office of the State comptroller, who shall draw his warrant on the State treasurer for the amount thereof in favor of said commissioners.

SEC. 5. That the commissioners for said sanatorium shall meet at the time and place designated by the governor as provided in the third section of this act; and before entering on the discharge of their duties hereunder they shall enter into bonds to the State of Tennessee in such sum as shall be prescribed by the governor, conditioned that they will faithfully disburse and account for all moneys that may come into their hands or under their control and perform all of the duties required of them by this act, the sureties on said bonds to be approved by the governor; and said commissioners shall also take and subscribe an oath that they will faithfully and impartially discharge the duties enjoined on them by this act. They shall then proceed to organize by electing one of their number as chairman and one of their number as secretary, who shall keep a record of their proceedings and perform such other duties as shall be required of him by said board.

SEC. 6. That after said commissioners shall have organized as provided in the next preceding section they shall proceed to examine, consider, and select a proper location for said sanatorium and no location containing less than 5,000 acres of good land shall be considered, and which shall have an elevation of at least 1,000 feet above sea level; and in making said location said commissioners shall have special regard to the following matters:

First. Healthfulness of the location.

Second. Cheapness of quantity [sic] and quality of building materials and convenience of access to the same.

Third. Convenience to pure and wholesome water.

Fourth. Cost of the land.

Fifth. The amount of land or money any city or county may voluntarily donate to the State for said institution for the purpose of securing the location of said sanatorium. But no land shall be selected or purchased for the location of said sanatorium in which any of said commissioners shall be interested, either directly or indirectly; and said commissioners shall see that the title to the land selected is clear and that the same is free from all liens and incumbrances of any kind before paying for the same.

SEC. 7. That after having selected the land for the site of said institution it shall be the duty of said commissioners to report to the governor the fact of such location, together with a statement of the number of acres so selected, describing the same by its metes and bounds, and the amount agreed to be paid therefor. Upon the receipt of such report the governor shall certify that fact to the State comptroller, including therein a statement of the amount agreed to be paid by said commissioners for the purchase of said land; said certificate shall be filed with the State comptroller, who shall draw warrants on the State treasurer in favor of said commissioners, who shall, without delay, apply the said sum of money so received to the payment for the land so selected by them as aforesaid as the site of said institution, taking from the person or persons from whom the same was purchased good and sufficient deeds of general warranty therefor to the State of Tennessee for the use of said sanatorium, which said deeds they shall cause to be recorded in the proper county.

SEC. 8. That it shall be the duty of said board of commissioners, as soon as may be after the purchase of the lands as provided in the last preceding section, to cause to be erected and constructed, at the most eligible point on said lands, suitable buildings and necessary improvements contiguous thereto, to be known as "The State Sanatorium for the Treatment of Pulmonary Tuberculosis"; that some of the buildings shall be for a hospital and others for cottage sanatorium purposes, the details of which are to be determined by the architect and the commissioners.

Said buildings shall be constructed of substantial materials, the walls being of brick or stone, the interior subdivisions to conform as near as may be to the most modern improvements, having reference to the comfort and convenience of inmates therein; they shall be as near fireproof as practicable, with partitions and fire walls between the wards, also such facilities for egress as will insure safety in case of fire.

And for the purpose of obtaining information in regard to plans and construction of said buildings and improvements the said commissioners may, themselves, visit in person one or more institutions of similar character; and in the construction of said buildings and other improvements regard shall be had for future enlargements or extensions of the same.

SEC. 9. That for the purpose of facilitating said sanatorium buildings and improvements the said board of commissioners shall be authorized and empowered to employ some competent person as architect and superintendent of such buildings and improvements, at a salary not to exceed \$200 per month, whose duty it shall be to prepare plans and specifications and drawings of such buildings, and to inspect the materials and superintend the construction of said buildings and improvements, and do and perform such other duties as may be required of him by said board of commissioners under the provisions of this act.

Said architect shall enter into bond to the State of Tennessee in such sum and with such sureties as shall be approved by the board of commissioners, conditioned that he will properly apply and faithfully account for all sums of money which shall come into his hands and faithfully discharge all of the duties required of him by law.

SEC. 10. That the cost of the lands, buildings, furniture, fixtures, apparatus for water, steam, bathing, lights, and other things to complete institutions of this kind, including sewage, fencing, and improving the grounds, shall not exceed the sum of \$50,000.

SEC. 11. That before any contract shall be let for the erection of buildings, making improvements or furnishing materials for said sanatorium, the architect and superintendent thereof shall have matured and well-considered plans of the same, with detailed specifications, drawings, and estimates of the proposed cost of the same, made out in full, describing therein the kind, amount, and quality of materials, the character of workmanship and the total cost of the whole, including water, gas, or apparatus for lighting, steam, bathing, fixtures, sewage, fencing, outbuildings and everything relating to such sanatorium except the lands, furniture, and other personal property otherwise provided for by this act, which said plans, drawings, specifications and estimates shall be carefully examined by said board of commissioners, and if they shall approve the same the architect shall proceed at once under their direction and supervision, to advertise in three newspapers of general circulation for sealed proposals for furnishing materials and performing said labor, or he may invite separate proposals for different parts thereof, as may be deemed best, the whole to be completed within 18 months from the date of awarding said contracts. Said architect shall fix a time in said advertisements, not exceeding 90 days, in which proposals will be received, and at the expiration thereof said architect shall open sealed bids in the presence of said commissioners, who shall carefully examine and consider the same, and award the contract to the lowest and most responsible bidder or bidders, but neither the architect nor any of said commissioners shall have any interest, directly or indirectly, in any contract relating to said buildings or improvements.

If the bids received should, in the opinion of the commissioners, be too high, they may reject the same, and in that event it shall and may be lawful for the architect, under the direction and supervision of said commissioners, to receive other proposals, and said commissioners may make contracts for the construction of said buildings and improvements and furnishing materials therefor, and all contracts for labor done and materials furnished shall be made in the name of the commissioners of said sanatorium, and shall stipulate for the completion of the same within 18 months from the date thereof.

SEC. 12. That all persons to whom contracts shall be awarded under the provisions of the last [sic] section of this act shall enter into bond to the State of Tennessee in such sum and with such sureties as shall be approved by said board of commissioners. Conditioned that he or they will within the time required in said contract faithfully perform and fulfill the covenants and stipulations thereon contained, and deliver to said commissioners, upon payment of the contract price, the buildings and improvements, or any part thereof, contracted to be done or performed by him or them, with all materials furnished, free and clear of all claims, liens, and incumbrances whatsoever.

SEC. 13. That said architect and superintendent of the buildings shall give strict attention, in person, to the erection of said buildings and improvements; he shall have the right to reject all unsound or improper material, and shall see that all contractors comply strictly with their contracts; and on the completion of the buildings and improvements aforesaid, he shall notify the commissioners thereof, and it shall be the duty of said commissioners at an early day thereafter to proceed in a body to visit and inspect the same, and if upon such inspection and information a majority of said commissioners and architect and superintendent of buildings shall be satisfied that the contracts as relate to said buildings and improvements, both as to workmanship and materials, have been fully complied with, they shall accept the same, and pay over any balance which may be due and unpaid thereon, but if not so satisfied they shall notify the contractors of what is required to fill their contract, and retain a sufficient amount of the contract price which may remain unpaid to secure the fulfillment of said contract.

SEC. 14. That the commissioners of said sanatorium shall from time to time as the work progresses make requisitions upon the State comptroller for such sums as may be necessary to enable them to comply with the contracts and to pay the salaries and other necessary incidental expenses; and upon such requisitions the State comptroller shall draw his warrant on the State treasurer in favor of said commissioners for the amount thereof, payable out of the fund appropriated by this act to said sanatorium. And said commissioners may, if they think proper, retain from the contract price of any contract made for the construction of buildings and improvements, or for furnishing materials, or any part thereof, a sufficient amount to indemnify said institution against loss or damage in case any contractor should fail to comply with his contract.

SEC. 15. That as soon as the buildings and improvements for said sanatorium shall be completed and accepted as aforesaid, the architect and superintendent shall, under the direction and supervision of said commissioners, proceed at once to advertise in three newspapers of general circulation for sealed proposals to supply said sanatorium with suitable furniture, implements, utensils, and such other articles of personal property as are required in and for well-conducted institutions of that kind, as determined on by said commissioners, to be delivered at said sanatorium not exceeding 90 days after said contract is awarded. At the expiration of the time set for receiving said proposals, the architect and superintendent shall, in the presence of the commissioners, open said bids; and said commissioners shall examine and consider the same and award the contracts to the lowest and best bidder, and enter into contract at the price bid for the same, to be paid for in the same manner as other contracts.

If there shall be no bids, or if the bids received shall be, in the opinion of the commissioners, too high, they may be rejected, and in that event the commissioners shall be authorized and empowered to proceed to purchase at private contract and have placed in said sanatorium the furniture and other articles required for the use thereof, to be paid for as herein provided.

SEC. 16. That the commissioners shall every six months during their continuance in office make out and transmit to the governor a report of the progress of the buildings and improvements under their charge, accompanied by a detailed statement, under oath, of the amount of money received from all sources and paid out under the provisions of this act, together with the evidence of such payment; and these, together with the final report of the commissioners with respect to the completion of the institution, including its furnishings, shall be laid before the general assembly by the governor at the next session thereafter.

SEC. 17. That any salary provided for under this act shall cease to be paid upon the completion of the duties prescribed for such person or persons receiving such salary.

SEC. 18. That the commissioners of said sanatorium shall in no wise be authorized to make requisition upon the State comptroller at any time for a larger amount than may be due for work done or materials furnished at the time said requisition is made.

**Wearing Apparel, Feathers, Artificial Flowers, and Cigars—Manufacture—Sanitary Regulation of Establishments. (Chap. 28, Act Mar. 25, 1915.)**

SECTION 1. That no room or rooms, apartment or apartments in any tenement or dwelling house used for eating or sleeping purposes shall be used for the manufacture for sale in whole or in part of coats, vests, trousers, knee pants, overalls[sic], cloaks, shirts, ladies' waists, purses, feathers, artificial flowers or cigars, and all wearing apparel except by the immediate members of the family living therein.

Every such workshop shall be kept in a cleanly state and shall be subject to the provisions of this act; and each of said articles made, altered, repaired, or finished in any such workshops shall be subject to examination and inspection as hereinafter provided for the purpose of ascertaining whether said articles, or any of them or any part thereof, are in a cleanly condition and free from vermin and any matter of an infectious and contagious nature; and every person so occupying or having control of any workshop aforesaid shall within 14 days from the taking effect of this act, or from the time of beginning of work in any workshop as aforesaid, notify the board of health of the location of such workshops, the nature of the work there carried on, and the number of persons therein employed.

SEC. 2. That if the board of health of any city or said chief inspector or[sic] workshops and factories or his deputies find evidence of infectious or contagious diseases present in any workshop or in goods manufactured, or in the process of manufacture therein, and said board or chief inspector or deputies shall issue such order or orders as the public health may require, the board of health are hereby enjoined to condemn or disinfect all such infectious and contagious articles.

SEC. 3. That whenever it will be reported to said chief inspector of workshops and factories or to the board of health, or to either of them, that coats, vests, knee pants, overalls, cloaks, skirts, ladies' waists, purses, feathers, artificial flowers, or cigars are being transported to this State, having been previously manufactured in whole or in part under unhealthy conditions, said chief factory inspector or deputies shall examine said goods and the condition of their manufacture, and if upon such examination said goods or any part of them are found to contain vermin or to have been made in improper places, or under unhealthy conditions, he shall make report thereof to the board of health, which board shall thereupon make such order or orders as the public health require; and the board of health are hereby empowered to condemn and disinfect all such articles.

SEC. 4. That the words "manufacturing establishment or factory or workshop" whenever used in this act shall be construed to mean any place where goods or products are manufactured or repaired, cleaned, or sorted in whole or in part, for sale or for wages. Whenever any house, room, or place is used for the purpose of carrying on any process of making, altering, repairing, or finishing, for sale or for wages any coats, vests, trousers, knee pants, overalls, cloaks, shirts, waists, purses, feathers, artificial flowers, or cigars, or any wearing apparel of any kind whatsoever, intended for sale, shall within the meaning of this act be deemed a workshop for the purpose of inspection.

And it shall be the duty of every person, firm, or corporation to keep a complete list of all such workshops[sic] in his or their employ, and such list shall be produced for inspection or on demand by the board of health or any of the officers thereof, or by the chief inspector of workshops and factories or any of his deputies.

SEC. 5. That any firm, person, or corporation who fails to comply with any of the provisions of this act shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined not less than \$10 nor more than \$100 for each offense.

**Advertisements—Untrue, Deceptive, or Misleading. Prohibited. (Chap. 105, Act May 17, 1915.)**

SECTION 1. That any person, firm, corporation, or association who, with intent to sell or in anywise dispose of merchandise, securities, service, or anything offered by such person, firm, corporation, or association, directly or indirectly, to the public for sale or distribution, or with intent to increase the consumption thereof, or to induce the public in any manner to enter into any obligations relating thereto, or to acquire title thereto or an interest therein, knowingly makes, publishes, disseminates, circulates, or places before the public, or causes, directly or indirectly, to be made, published, disseminated, circulated, or placed before the public in this State, in a newspaper or other publication or in the form of a book, notice, handbill, poster, bill, circular, pamphlet, or letter, or in any other way, an advertisement of any sort regarding merchandise, securities, service, or anything so offered to the public, which advertisement contains any assertion, representation, or statement of fact which is untrue, deceptive, or misleading, shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than \$25 nor more than \$100 or by imprisonment in the county jail not exceeding six months, or by both said fine and imprisonment.

## TEXAS.

### Plague—Prevention of—Appropriation for. (Act Mar. 23, 1915.)

SECTION 1. That for the purpose of enabling the State health officer of the State of Texas to employ such assistants as he deems necessary to assist in preventing the bubonic plague from getting a foothold in the State of Texas, and also to ascertain if it now exists at any of the seaports of the State, there is hereby appropriated out of the money of the State treasury not otherwise appropriated, the sum of \$25,000, or so much thereof as may be necessary, to be expended under the direction of the State health officer and to be paid upon warrants drawn by the State comptroller of public accounts on vouchers approved by the State health officer.

### Anthrax—Suppression and Eradication of—Appropriation for. (Act Mar. 15, 1915.)

SECTION 1. That the sum of \$4,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated out of the general revenue fund not otherwise appropriated, to be used for the suppression and eradication of charbon disease, or anthrax, now threatening the stockmen of the State of Texas, said sum to be expended under the supervision of the State board of health.

### Utensils in Public Eating Places—Sterilization of. (Chap. 7, Act Feb. 12, 1915.)

SECTION 1. Any person or persons conducting or managing or their agents of any hotel, cafe, restaurant and any other public place where meals are served, must, after the taking effect of this act, sterilize in hot boiling water, all plates, cups, saucers, knives, forks, spoons, and such other utensils as may be used in serving meals and drinks, after being used and before permitting them to be used again: *Provided*, That the water in which said eating utensils are sterilized, shall be changed every two hours: *Provided further*, That no napkins shall be furnished for use after being used once until laundered.

SEC. 2. Any person or person[s] conducting or managing or their agents of any public eating house mentioned in section 1 of this act, who violates the provisions thereof, shall be fined not less than \$5 nor more than \$100 for each separate offense.

### Watercourses—Prevention of Pollution. (Act Feb. 25, 1915.)

Section 1 of the act of March 27, 1913,<sup>1</sup> which was published in the Public Health Reports October 24, 1913, page 2275, was amended to read as follows (new matter added by the amendment is shown by italics):

"SECTION 1. That it shall be unlawful for any person, firm, or corporation, private or municipal, to pollute any watercourse, or other public body of water, from which water is taken for the uses of farm, live stock, drinking, and domestic purposes, in the State of Texas, by the discharge, directly or indirectly, of any sewage or unclean water or unclean or polluting matter or thing therein, or in such proximity thereto as that it will probably reach and pollute the waters of such watercourse or other public body of water from which water is taken, for the uses of farm, live stock, drinking, and domestic purposes: *Provided, however, That the provisions of this bill shall not affect any municipal corporation situated on tide water; that is to say, where the tide ebbs and flows in such*

<sup>1</sup> Reprint No. 264 from the Public Health Reports, p. 474.

*watercourse.* A violation of this provision shall be punished by a fine of not less than \$100 and not more than \$1,000. When the offense shall have been committed by a firm, partnership, or association, each member thereof who has knowledge of the commission of such offense shall be held guilty. When committed by a private corporation, the officers and members of the board of directors having knowledge of the commission of such offense shall each be deemed guilty; and when by a municipal corporation, the mayor and each member of the board of aldermen or commission having knowledge of the commission of such offense, as the case may be, shall be held guilty as representatives of the municipality; and each person so indicated as above shall be subject to the punishment provided hereinbefore: *Provided, however,* That the payment of the fine by one of the persons so named shall be a satisfaction of the penalty as against his associates for the offenses for which he may have been convicted: *Provided,* The provisions of this act shall not apply to any place or premises located without the limits of an incorporated town or city, nor to manufacturing plants whose affluents contain no organic matter that will putrify, or any poisonous compounds, or any bacteria dangerous to public health or destructive of the fish life of streams or other public bodies of water."

## UTAH.

### **Rocky Mountain Spotted Fever and Trachoma—Notification of Cases. (Reg. Bd. of H., Feb. 15, 1915.)**

It shall be the duty of every physician or other person caring for the sick in the State of Utah to make a report to the local board of health immediately after such person becomes aware of the existence of any case of Rocky Mountain spotted fever.

It shall be the duty of every physician or other person caring for the sick in the State of Utah to make a report to the local board of health immediately after such person becomes aware of the existence of any case of trachoma.

### **State Board of Health—Secretary—Qualifications, Duties, and Salary. (Chap. 60, Act Mar. 16, 1915.)**

SECTION 1. That section 1102, Compiled Laws of Utah, 1907, be, and the same is hereby, amended to read as follows:

"1102. The secretary of the State board of health shall be State health commissioner and shall perform and superintend the work prescribed in this title and shall perform such other duties as the board may require. He shall keep the minutes of all meetings, make quarterly reports to the board, and employ, subject to the confirmation of the board, all necessary employees. The secretary shall be a licensed physician in good standing of temperate habits and good moral character, and shall be thoroughly informed and experienced in all matters pertaining to hygiene and sanitation and skilled in the management and treatment of infectious and contagious diseases. The secretary shall give his entire time to the duties of his office and shall receive from the State treasury in quarterly payments an annual salary of \$4,000 and such actual and necessary traveling expenses as shall be allowed by the State board of examiners on presentation of an itemized account certified by the State board of health. All other expenses of the board of health shall be paid out of the appropriations made for that purpose."

### **Poisons and Drugs—Possession, Sale, and Dispensing—Labeling. Opium Pipes—Possession of. (Chap. 66, Act Mar. 17, 1915.)**

SECTION 1. *Selling poisons.*—It shall be unlawful for any person to vend, sell, give away, or furnish, either directly or indirectly, any poisons enumerated in schedules A and B in section 7 of this act as hereinafter set forth, without labeling the package, box, bottle, or paper in which said poison is contained with the name of the article, the word "poison," and the name and place of business of the person furnishing the same. Said label shall be substantially in the form hereinafter provided. It shall be unlawful to sell or deliver any of the poisons named in schedule A or any other dangerously poisonous drug, chemical, or medicinal substance, which may from time to time be designated by the State board of pharmacy, unless on inquiry it is found that the person desiring the same is aware of its poisonous character, and it satisfactorily appears that it is to be used for a legitimate purpose. It shall be unlawful for any person to give a fictitious name or make any false representations to the seller or dealer when buying any of the poisons thus enumerated: *Provided*, That this prohibition shall not apply to an officer or inspector of the State board of pharmacy in the performance of the duties enjoined by law upon said board, or to any person acting under authority



of said board in the performance of said duties. Printed notice of all such additions to the schedule of poisons named and provided for in this section, and the antidote adopted by the board of pharmacy for such poisons shall be given to all registered pharmacists with the next following renewal of their certificates.

It shall be unlawful to sell or deliver any poison included in schedule A, or the additions thereto, without making or causing to be made an entry in a book kept solely for that purpose, stating the date and hour of sale and the name, address, and signature of the purchaser, the name and quantity of the poison sold, the statement by the purchaser of the purpose for which it is required, and the name of the dispenser, who must be a duly registered pharmacist: *Provided, however,* That said entry shall be made out in full, in ink, before said signature of the purchaser is made thereto, and that said entry shall be made by said dispenser himself and not by any person who is not a duly registered pharmacist or duly registered assistant pharmacist.

Said book shall be in form substantially as follows:

Date and hour.	Name of purchaser.	Residence.	Kind and quality.	Purpose of use.	Signature of druggist.	Signature of purchaser.
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This book shall always be open for inspection by the proper authorities and shall be preserved for at least five years after the date of the last entry therein.

SEC. 2. *Labeling poisons.*—The label required by this act to be placed on all packages of poison shall be printed upon red paper in distinct white letters, or in distinct red letters upon white paper, and shall contain the word "poison," the "vignette" representing the skull and crossbones, and the name and address of the person or firm selling the same. The name of an antidote, if any there be, for the poison sold, shall also be upon the package. No poison shall be sold or delivered to any person who is less than 18 years of age.

SEC. 3. It shall be the duty of the State board of pharmacy to adopt a schedule of what, in their judgment, are the most suitable common antidotes for the various poisons usually sold. After the board has adopted the schedule of antidotes as herein provided for they shall have the same printed and shall forward by mail one copy to each person registered upon their books, and to any other person applying for the same. The particular antidote adopted (and no other) shall appear on the poison label provided for in section 2 of this act or be attached to the package containing said poison. The board shall have power to revise and amend the list of antidotes from time to time as to them may seem advisable. The entries in the poison book and the printed or written matter provided for in sections 2 and 3 of this act shall be in the English language: *Provided,* That the vendor of said poison may enter the same in any foreign language he may desire, in addition to said entry and label in English.

SEC. 4. When in the opinion of the State board of pharmacy it is in the interest of the public health, they are hereby empowered to further restrict or prohibit the retail sale of any poison by rules, not inconsistent with the provisions of this act, by them to be adopted, and which rules must be applicable to all persons alike. It shall be the duty of the board, upon request, to furnish any dealer with a copy of the laws relating to articles, preparations, and compounds, the sale of which is prohibited or regulated by this act.

SEC. 5. *Wholesale dealers.*—Wholesale dealers and pharmacists shall affix or cause to be affixed to every bottle, box, parcel, or other inclosure of an original package containing any of the articles named in schedule A, the additions thereto, or in sections 8 and 9 of this act, a suitable label or brand, with the word "poison," but they are hereby exempted from the registration of the sale of such articles when sold at wholesale to a registered pharmacist, physician, dentist, or veterinary surgeon duly licensed to practice in the State: *Provided,* That the provisions of this act shall not apply to the

sale of such upon the prescriptions of practicing physicians, dentists, or veterinary surgeons who are duly licensed to practice in this State: *And provided further*, That wholesale dealers are hereby exempted from the registration of the sales of the articles enumerated in schedule A of section 7 of this act, where such sales are made for assaying, metallurgical, scientific, or industrial uses and purposes.

Sec. 6. The State board of pharmacy shall have power to employ special counsel to assist the county attorney or the district attorney in all actions and prosecutions instituted or prosecuted for the violation of any of the provisions of this act.

Sec. 7. *Penalties*.—Any person violating any of the provisions of section 8 or 8a of this act shall upon conviction be punished as follows, viz: For the first offense, by a fine of not less than \$100 and not to exceed \$400, or by imprisonment for not less than 50 days and not exceeding 180 days, or by both such fine and imprisonment; for the second offense, by a fine of not less than \$250 and not to exceed \$500, or by imprisonment for not less than 90 days and not exceeding six months, or by both such fine and imprisonment; and for the third offense, by imprisonment in the State prison for not less than one year and not more than five years. Any person violating any of the provisions of this act, except those contained in section 8 or 8a, shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum not less than \$30 nor more than \$200, or by imprisonment for not less than 30 days and not more than 50 days, or by both such fine and imprisonment. All moneys, forfeited bail, or fines received under the operation of this act shall be paid by the magistrate receiving the same, 75 per cent to the State board of pharmacy and 25 per cent to the city treasurer of the city, if incorporated, otherwise to the county treasurer of the county in which the prosecution is conducted. The following is schedule A referred to in section 1, viz: Schedule A.—Arsenic, its compounds and preparations, corrosive sublimate, and other poisonous derivatives of mercury, corrosive sublimate tablets, antiseptic tablets containing corrosive sublimate, cyanide of potassium, strychnine, hydrocyanic acid, oils of croton, rue, tansy, pennyroyal, savin; ergot and cottonroot and their preparations, phosphorus and its poisonous derivatives and compounds, compound solution of creosol, lysol, strophanthus or its preparations, aconite, belladonna, nux vomica, veratrum viride, their preparations, alkaloids, or derivatives, and poison containing any of the poisons enumerated in this schedule.

The following is schedule "B": Hydrochloric or muriatic acid, nitric acid, oxalic acid, sulphuric acid, bromine, chloroform, cowhage, creosote, ether, solution of formaldehyde or formalin; cantharides, cocculus indicus, all their preparations; iodine or its tinctures, tartar emetic, and other poisonous derivatives of antimony, sugar of lead, sulphate of zinc, and wood alcohol.

Sec. 8. *Sale of cocaine, morphine, codeine, etc.*—It shall be unlawful for any person, firm, or corporation to sell, furnish, or give away or offer to sell, furnish, or give away, or to have in their or his possession any cocaine, opium, morphine, codeine, heroin, alpha eucaine, beta eucaine, nova caine, flowering tops and leaves, extracts, tinctures, or other narcotic preparations of hemp or loco weed (*cannabis sativa*, Indian hemp), or chloral hydrate or any of the salts, derivatives, or compounds of the foregoing substances or any preparation or compound containing any of the foregoing substances or their salts, derivatives, or compounds, excepting upon the written order or prescription of a physician, dentist, or veterinary surgeon licensed to practice in this State, which order or prescription shall be dated and shall contain the name of the person for whom prescribed, written in by the person writing said prescription, or, if ordered by a veterinary surgeon, it shall state the kind of animal for which ordered and shall be signed by the person giving the prescription or order. Such order or prescription shall be permanently retained on file by the person, firm, or corporation who shall compound or dispense the articles ordered or prescribed, and it shall not be again compounded or dispensed, excepting upon the written order of the prescriber for each and every subsequent compounding or dispensing.

No copy or duplicate of such written order or prescription shall be made or delivered to any person, but the original shall be at all times open to inspection by the prescriber and properly authorized officers of the law and shall be preserved for at least three years from the date of the filing thereof: *Provided*, That the above provisions shall not apply to sales at wholesale by jobbers, wholesalers, and manufacturers to pharmacies, as defined in chapter 1, title 62, compiled laws of Utah, 1907, entitled "pharmacy"; or physicians, nor to each other, nor to the sale at retail in pharmacies by pharmacists to physicians, dentists, or veterinary surgeons duly licensed to practice in this State: *Provided further*, That all such wholesale jobbers, wholesalers, and manufacturers in this section mentioned shall, before delivery of any of the articles in this section enumerated, make or cause to be made in a book kept for that purpose only, an entry of the sale of any such article, stating the date of such sale and quantity and name of the article and form in which sold, the true name and true address of the purchaser, the name of the person by whom such entry and sale was made; also a statement showing how delivery was had, whether delivered personally or forwarded by mail, express, or by freight, which book shall be substantially as follows:

Date of sale.	Quantity and name of article.	Name of purchaser.	How delivered.	Name of person selling.
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And said book shall always be open for inspection by any peace officer or any member of the board of pharmacy, or any inspector authorized by said board and such book shall be preserved for at least five years after the date of the last entry therein. The taking of any order, or making of any contract or agreement, by any traveling representative, or any employee, or any person, firm, or corporation, for future delivery in this State, of any of the articles or drugs mentioned in this section shall be deemed a sale of said articles or drugs by said traveling representatives or employee, within the meaning of the provisions of this act: *Provided further*, That a true and correct copy of all orders, contracts, or agreements taken for narcotic drugs specified in this section shall be forwarded by registered mail to the secretary of the State board of pharmacy within 24 hours after the taking of such order, contract, or agreement, unless such order, contract, or agreement is recorded by entry in a book used for that purpose only, of some wholesale jobber, wholesaler, or manufacturer permanently located in this State, as provided for in this section.

It shall be unlawful for any practitioner of medicine, dentistry, or veterinary medicine to furnish to or prescribe for the use of any habitual user of the same, or of any one representing himself as such, any cocaine, opium, morphine, codeine, heroin, or chloral hydrate, or any salt, derivative, or compound of the foregoing substances or their salts, derivatives, or compounds; and it shall also be unlawful for any practitioner of medicine or dentistry to prescribe any of the foregoing substances for any person not under his treatment in the regular practice of his profession, or for any veterinary surgeon to prescribe any of the foregoing substances for the use of any human being: *Provided, however*, That the provisions of this section shall not be construed to prevent any duly licensed physician from furnishing or prescribing in good faith as their physician by them employed as such, for any habitual user of any narcotic drugs who is under his professional care, such substances as he may deem necessary for their treatment, when such prescriptions are not given or substances furnished for the purpose of evading the purpose of this act: *Provided*, That such licensed physician shall report in writing, over his signature, by registered mail, to the office of the State board of pharmacy, within 24 hours after the first treatment, each and every habitual user of such narcotic drugs as are enumerated in this section, whom he or she has taken, in good faith, under his or her professional care for the cure of such habit, such report to contain the date, name and address of such patient, and the name and quantity of the

narcotic or narcotics prescribed in such treatment: *Provided further*, That the provisions immediately foregoing shall not apply to any licensed physician treating such habitue in good faith, who personally administers such narcotics, enumerated in this section, after writing a prescription therefor: *And provided further*, That the above provisions shall not apply to preparations sold or dispensed without a physician's prescription containing not more than two grains of opium, or one-fourth grain of morphine, or one grain of codeine, or one-sixth grain of cocaine, or one-fourth grain of heroin, or one-sixth grain of eucaine, or one-sixth grain of nova caine, or one-half grain extract cannabis indica, or one-sixth grain beta eucaine, or 10 grains chloral hydrate in 1 fluid ounce, or, if a solid preparation, in one ounce, avoirdupois; or to linaments, ointments, or other preparations which are prepared for external use only, except linaments, ointments, and other preparations which contain cocaine or any of its salts or alpha or beta eucaine or any of their salts, or any synthetic substitute for them: *Provided*, That such remedies and preparations are sold, distributed, given away, dispensed, or possessed as medicines and not for the purpose of evading the intentions and provisions of this act.

SEC. 8a. *Opium pipes, etc.*—The possession of a pipe or pipes or other contrivances used for smoking opium (commonly known as opium pipes) or the usual attachment or attachments thereof, or extracts, tinctures, or other narcotic preparations of hemp or loco weed, their preparations or compounds (except corn remedies containing not more than 15 grains of the extract or fluid extract of hemp to the ounce, mixed with not less than five times its weight of salicylic acid combined with collodion), is hereby made a misdemeanor, and upon conviction thereof shall be punishable by the penalties prescribed in section 7 of this act.

SEC. 8b. All narcotic drugs specified in section 8 and also all pipes used for smoking opium (commonly known as opium pipes) or the usual attachments thereto, or extracts, tinctures, or other narcotic preparations of hemp or loco weed, their preparations or compounds (except corn remedies containing not more than 15 grains of the extract or fluid extract of hemp to the ounce, mixed with not less than five times its weight of salicylic acid combined with collodion), may be seized by any peace officer, and in aid of such seizure a search warrant or search warrants may be issued in the manner and form prescribed in chapter 56, title 91, compiled laws of Utah, 1907, entitled, "Code of criminal procedure." All such narcotic drugs, pipes used for smoking opium (commonly known as opium pipes) or the usual attachments thereto, and all such hemp seized under the provisions of this act shall be ordered destroyed by the judge of the court in which final conviction was had; said order of destruction shall contain the name of the party charged with the duty of destruction as herein required: *Provided, however*, That the judge shall turn all such evidence over to the State board of pharmacy for such destruction: *And, provided further*, That the board of pharmacy may dispose of all narcotics now on hand or hereafter coming into their possession (other than smoking opium), either by gift to the medical director of Utah State prisons or State hospitals or by sale to wholesale druggists, the funds received from such sales to be applied by the board of pharmacy to the carrying out of the provisions of this act or of the act creating such Utah State board of pharmacy.

SEC. 8c. The board may revoke the registration and license of any registered pharmacist or assistant pharmacist upon conviction of the second offense for violating any of the provisions of sections 8 or 8a of this act, and in such case said registration shall not be restored before the period of one year from the date of said revocation.

SEC. 9. *Sale of carbolic acid.*—The sale or furnishing of carbolic acid (phenol) in quantities of less than 1 pound is prohibited unless upon the prescription of a physician, dentist, or veterinary surgeon duly licensed to practice in this State, but this prohibition shall not apply to solutions of carbolic acid (phenol) containing not over 10 per cent of the carbolic acid (phenol) and not less than 10 per cent of ethyl alcohol.

All sales of carbolic acid (phenol) thus diluted so as to contain no more than 10 per cent of carbolic acid (phenol) may be made under the same conditions as the drugs enumerated in schedule B as found in section 7, but sales of carbolic acid (phenol) containing more than 10 per cent of said acid shall be registered subject to the same regulations as the poisons enumerated in schedule A as found in section 7.

SEC. 10. That sections 1727x and 1727x1, compiled laws of Utah, 1907, and sections 1727x2 and 7727x3, compiled laws of Utah, 1907, entitled "Patent medicines," as amended by chapter 117, laws of Utah, 1911, and as amended by chapter 48, laws of Utah, 1913, is [sic] hereby repealed.

**Hotels—License—Tollet Facilities—Bedding. (Chap. 49, Act Mar. 15, 1915.)**

SECTION 1. *Sections amended.*—That sections 2, 8, and 12, chapter 87, Laws of Utah, 1913, be, and the same are hereby, amended to read as follows:

SEC. 2. *Inspection certificate.*—That no hotel shall be kept, maintained, or conducted in this State after this act takes effect without first procuring an inspection certificate therefor, and no such certificate license shall be transferable: *And provided*, That no holder of a certificate under this act shall be relieved thereby from compliance with the ordinance of any town, city, or county in which the building is located or which such certificate is issued.

SEC. 8. *Sanitation closets; lavatories.*—In all cities, towns, and villages where a system of waterworks is maintained for public use, every hotel therein operated shall within six months after the passage of this act be equipped with suitable water-closets for the accommodation of its guests, which water-closet or closets shall be connected by proper plumbing with sewerage system, if there be one, otherwise with a cesspool, and the means of flushing such water-closets with the water of said system so as to prevent sewer gas or effluvia from arising therefrom. All lavatories, bath tubs, sinks, drains, and urinals in such hotels must be connected and equipped in a similar manner, both as to methods and times.

In all cities, towns, and villages not having a system of waterworks, every hotel shall have properly constructed privies or overvaults, which shall have tightly built backs, and which shall be kept clean and free from filth, and which shall have separate apartments for the sexes, each being properly designated.

SEC. 12. *Clean bedding to be provided; fumigation.*—All hotels shall provide each bed, bunk, cot, or other sleeping place for the use of guests with pillow slips and under and top sheets. Each oversheet shall be not less than 99 inches long after being washed, and of sufficient width to completely cover the mattress and springs. Said sheets and pillow slips shall be made of white cotton or linen, and after being used by one guest they shall be washed and ironed before they are furnished to another guest, a clean set being furnished to each guest. All bedding, including mattresses, quilts, blankets, pillows, sheets, and comforts used in any hotel in this State must be thoroughly aired and kept clean: *Provided*, That no bedding, including mattresses, quilts, blankets, pillows, sheets, or comforts shall be used which are worn out or unfit for further use. Any room in any hotel in this State infested with vermin or bedbugs shall be fumigated, disinfected, and renovated until said vermin or bedbugs are exterminated. Also that the floors, walls, and ceilings of all rooms in all hotels shall be kept clean and free from dirt and filth.

**Camps—Sanitary Regulation. (Reg. Bd. of H., Sept. 8, 1915.)**

REGULATION 1. *Pollution of waters prohibited.*—All persons living in the open or in camps, tents, or other temporary shelters shall exercise every proper and reasonable precaution to dispose of their wastes, so that springs, lakes, reservoirs, streams, and other watercourses shall not be polluted.

REG. 2. *Notice of labor or construction camp to be occupied by five or more persons to be given State board of health.*—Every railroad or other corporation, contractor, lumber-

man, or other person in Utah who shall establish, construct, or maintain any labor or construction camp to be occupied by five or more persons, and the person in charge of any temporary living quarters on wheels or otherwise that shall be provided for five or more workmen, shall at once notify the State board of health by telephone, telegraph, or letter, of the presence and location of such quarters or camp.

REG. 3. *The State board of health to inspect and pass on location and sanitary conditions of camps.*—The State board of health, when notified of the establishment of any camp with temporary buildings, on wheels or otherwise, shall promptly inspect and determine the propriety of the location of the camp and of its sanitary conditions. If the location or manner of operation of the camp be found to be detrimental to the public health it shall be removed or the manner of its operation corrected.

REG. 4. *Permit required for labor or construction camp to be occupied by more than ten persons for more than six days.*—No railroad or other corporation, contractor, lumberman, or other person shall establish, construct, or maintain any labor or construction camp to be occupied by 10 or more persons for a period of more than six days without a permit from the State board of health. Whenever any such camp shall be vacated the person in charge thereof shall forthwith notify the State board of health and surrender to him the permit therefor.

REG. 5. *Application required for permit.*—Application for such permit shall be made in writing to the State board of health.

The application shall state the exact situation of the proposed camp, the type of camp to be established, the approximate number of persons to be maintained, the probable duration of stay, the proposed source of water supply for the camp, and the proposed method of sewage and garbage disposal.

REG. 6. *Conditions of issuance of permit; may be revoked.*—If the State board of health is satisfied after inspection that the proposed camp will not be a source of danger to the health of others or to its inmates, it shall issue the necessary permit in writing, in a form to be prescribed by the State commissioner of health.

Any such permit may be revoked for cause by the State board of health after a hearing.

REG. 7. *State board of health to be notified of the name of the person responsible for sanitary condition of camp.*—It shall be the duty of the owner, manager, or foreman of a labor or construction camp occupied by 20 or more persons to detail one person, who shall be responsible for the sanitary condition of the camp, and to notify the State board of health of the name of such person.

REG. 8. *Copy of rules to be posted.*—There shall be furnished by the State board of health and conspicuously posted in every camp a copy of these rules.

REG. 9. *No building, tent, or car in any camp to be nearer than 50 feet of water's edge of public water supply.*—In every camp or temporary quarters the nearest part of any building, tent, car, or shed shall be at least 50 feet in a horizontal direction from the water's edge of any stream, lake, or reservoir.

REG. 10. *Suitable privy or other toilet facilities to be provided and used.*—For every camp there shall be provided convenient and suitable privy or other toilet facilities approved by the State board of health, which the occupants of the camp shall be required to use instead of polluting the ground.

REG. 11. *Construction of privies more than 200 feet from the water's edge.*—If such privy be more than 200 feet from the water's edge of any spring, stream, lake, or reservoir forming part of a public or private water supply, it shall consist of a pit at least 2 feet deep, with suitable shelter over the same. No such pit shall be filled with excreta to nearer than 1 foot from the surface of the ground, and the excreta in the pit shall always be covered with earth or ashes. If the camp is to be occupied for more than six days between May 1 and November 1, the shelter and pit shall be inclosed in fly netting.

REG. 12. *Construction and care of privies located between 50 and 200 feet from the water's edge.*—If such privy be between 50 and 200 feet from the waters of a spring, stream, lake, or reservoir forming part of a public or private water supply, there shall be no pit, but the excreta shall be received in a water-tight tub or bucket and periodically, as often as may be found necessary, shall be taken away and disposed of. Such privy shall be properly screened against flies and kept in a clean and sanitary condition; the pails or buckets shall not be allowed to fill so that they overflow or spill in carrying, and the construction of the privy shall be such that the convenient removal and replacement of the tubs or buckets is facilitated.

REG. 13. *Disposal of wastes from privies.*—The pails, tubs, or buckets used in privies located between 50 and 200 feet from the water's edge, as referred to in regulation 12, shall, when not more than three-quarters filled, be removed from the privy and carried at least 200 feet from the water's edge and the contents there either burned or buried in a trench at least 2 feet deep, so that when buried there shall be at least 1 foot of earth cover. The pails, tubs, or buckets immediately after being emptied shall be rinsed out with a suitable disinfectant as particularly prescribed for such purposes by the special rules and regulations of the State board of health, and the rinsing fluid shall also be emptied into the trench.

REG. 14. *Garbage to be disposed of in suitable manner.*—All garbage, kitchen wastes, and other rubbish in camps shall be deposited in suitable covered receptacles, which shall be emptied daily or oftener if necessary, and the contents burned, buried, or otherwise disposed of in such a way as not to be or become offensive or insanitary.

REG. 15. *Water rules to be observed.*—Whenever a camp is established on the banks of a spring, lake, reservoir, stream, or other watercourse which is a source of water supply, no bathing or washing by the occupants of said camp shall be allowed in said springs, lakes, reservoirs, streams, or other watercourses.

REG. 16. *Location and drainage of stables regulated.*—No stable or other shelter for animals shall be maintained within 100 feet of any living quarters in a camp, nor within 150 feet of any kitchen or messroom therein. No drainage from such stable or shelter shall be permitted to empty directly into any spring, lake, reservoir, stream, or other watercourse forming a part of a public or private water supply.

REG. 17. *Camps to be kept and left in clean and sanitary condition.*—All tents, cars, and buildings in, and the grounds surrounding, camps shall at all times be kept, and when definitely vacated be left, in a clean and sanitary condition.

REG. 18. *Person in charge of camp to report cases of disease presumably communicable.*—It shall be the duty of every person in charge of any labor or other camp, having knowledge of any person affected with any disease presumably communicable, who by reason of the danger to others seems to require the attention of the public health authorities, to report at once to the local health officer, within whose jurisdiction such case occurs, all facts relating to the illness and physical condition of such affected person.

REG. 19. *Isolation of cases of communicable disease; cases not to be removed without permission of health officer.*—Whenever a case of disease presumably communicable shall occur in any labor or construction camp it shall be the duty of the person in charge of the camp immediately to isolate the case. Such isolation shall be maintained in a manner approved by the State board of health. The person in charge of the camp shall not allow the case to leave or be removed from such camp without the permission of the State board of health.

REG. 20. *Duty to enforce regulations on person in charge.*—It shall be the duty of the superintendent, foreman, or other person in charge of a camp to see that these regulations are faithfully observed.

REG. 21. *Supplementary rules and regulations.*—Labor and construction camps shall be subject to such special and supplementary rules and regulations, not inconsistent herewith, as may from time to time be made by the State commissioner of health.

## VERMONT.

### Communicable Diseases—Notification of Cases—Placarding—Quarantine—School Attendance—Libraries—Carriers—Disinfection—Burial. (Reg. Bd. of H., May 6, 1915.)

**RULE 1. Communicable diseases to be reported.**—The following diseases are hereby declared to be communicable or dangerous to the public health within the meaning of the statute, and must be reported by heads of families and physicians to the health officer,<sup>1</sup> viz:

Anthrax.  
Actinomycosis.  
Bubonic plague.  
Chicken-pox (varicella).  
Cholera (Asiatic cholera, epidemic cholera).  
Diphtheria (croup, membranous croup).  
Dysentery (epidemic).  
Epidemic cerebrospinal meningitis (spotted fever).  
Epidemic or streptococcic (septic) sore throat.  
Erysipelas.  
Favus.  
German measles.  
Glanders.  
Hydrophobia (rabies).  
Leprosy.

Measles (rubeola, morbilli).  
Mumps (epidemic parotitis).  
Ophthalmia neonatorum.  
Pneumonia (lobar or croupous pneumonia).  
Pollomyelitis, acute anterior (infantile paralysis).  
Puerperal fever (puerperal septicemia).  
Scarlet fever (scarlatina, canker rash).  
Smallpox (variola, varioloid).  
Tetanus (lockjaw).  
Trachoma.  
Typhoid fever (enteric fever).  
Typhus fever (ship fever, spotted fever).  
Whooping cough (pertussis).  
Yellow fever.

**RULE 2. Posting notice and quarantine.**—It shall be the duty of each health officer, upon receiving notice of any case of chicken-pox, cholera, diphtheria, (including membranous croup), epidemic cerebrospinal meningitis, German measles, mumps, pollomyelitis (infantile paralysis), scarlet fever, smallpox, varioloid, typhoid fever, typhus fever, or whooping cough, to immediately post a plain and distinct notice, giving the name of the disease, upon the house, tenement, or premises where such disease is reported to exist. He shall also serve a quarantine notice upon the head of the family in which the disease is reported to be, except in cases of typhoid fever, according to one of the forms hereinafter prescribed. Such notice shall be for "full quarantine" in cases of cholera, diphtheria (including membranous croup), epidemic cerebrospinal meningitis, pollomyelitis (infantile paralysis), scarlet fever, smallpox, varioloid, and typhus fever; and for "modified quarantine" in cases of chicken pox, German measles, measles, mumps, and whooping cough.

**RULE 3. Quarantine notices.**—All quarantine notices issued by health officers shall be signed as issued, shall be in form according to one of the following

<sup>1</sup> Tuberculosis and venereal diseases are to be reported by the physician in charge of the case directly to the secretary of the State board of health.



blanks, and shall be served by the health officer in person on the head of the family.

#### FULL QUARANTINE NOTICE.

For use in cases of cholera, diphtheria (including membranous croup), epidemic cerebrospinal meningitis, acute anterior poliomyelitis (infantile paralysis), scarlet fever, smallpox, varioloid, and typhus fever.

To-----  
-----having been reported to me as being in your family, you will see that all persons and things now on the premises or in the house occupied by you are at once isolated from all other persons and things; you will allow no communication between any person now on the premises or in the house occupied by you, and any other person whatever; articles of food and drink and such fuel and clothing as are necessary for the comfort and health of those persons under quarantine excepted. Papers and letters may be received, and such pails, cans, bottles, or boxes of metal as are necessary for the conveyance of the above may be given out, all in the manner and under the conditions prescribed by the health officer.

And further exception is hereby made, so that all drugs, food, and other articles necessary to the proper treatment of the sick may be received by you, and the attending physicians may enter and leave your premises at pleasure, provided such measures are used as to prevent carrying the infection outside.

No other person whatever shall enter or leave your premises during the existence of this quarantine, except as permitted, in writing, by the health officer.

You will carefully observe the above quarantine, under penalty of the law, until such time as the quarantine shall be terminated by a written notice signed by the health officer.

-----  
-----Chairman Local Board of Health.

Town (or city) of-----  
-----19-----

-----  
-----Health Officer.

#### MODIFIED QUARANTINE NOTICE.

For use in cases of measles, whooping cough, mumps, chicken-pox, and German measles.  
To-----

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-----having been reported in your family, you will see that all persons in your household who now have this disease are safely isolated from all other members of your household and all other persons. Furthermore, you are hereby forbidden to allow any member of your family who can not be shown to have had the above-mentioned disease to attend any school, public, parochial, or private; any church or other [sic] place of amusement or any public gathering of any kind. You will carefully observe the above quarantine under penalty of the law until such time as the quarantine shall be terminated by a written notice signed by the health officer.

-----  
-----Health Officer.

**RULE 4. *Minimum period of quarantine.***—The minimum period of quarantine, within the meaning of these rules, shall be as follows:

Chicken-pox, until 12 days after the appearance of the eruption and until the crusts have fallen and the scars are completely healed.

Diphtheria (membranous croup), until two successive negative cultures have been obtained from the nose and throat at intervals of 24 hours.

Measles, until 10 days after the appearance of the rash and until all discharges from the nose, ears, and throat have disappeared and until the cough has ceased.

Mumps, until 2 weeks after the appearance of the disease and 1 week after the disappearance of the swelling.

Poliomyelitis (infantile paralysis), until 28 days after the appearance of the first symptoms.

Scarlet fever, until 30 days after the development of the disease or until all discharges from the nose, ears, and throat or suppurating glands have ceased.

Smallpox, until 14 days after the development of the disease and until scabs have all separated and the scars completely healed.

Whooping cough, until 8 weeks after the development of the disease or until 1 week after the last characteristic cough.

**RULE 5. *Maximum period of incubation.***—For the purpose of these rules the maximum period of incubation (that is, between the date of exposure to disease and the date of its development) of the following communicable diseases is hereby declared to be as follows: Chicken-pox, 21 days; measles, 14 days; mumps, 21 days; scarlet fever, 7 days; smallpox, 20 days; whooping cough, 14 days.

**RULE 6. *Physicians to report to health officer.***—It shall be the duty of every physician who knows or suspects that a person whom he has been called to attend is sick or has died of a communicable disease, dangerous to the public health, to report to the local health officer, within whose jurisdiction such patient is, the name, age, address of every person affected with a communicable disease, together with the name of the disease, degree of virulence, cause or source of the disease, and any other facts relating thereto as may be necessary for the health officer to make examination and act in the premises. Such report shall be made by personal notice or telephone, when practicable, and shall also be made in writing, and shall be made within 24 hours from the time when the case is first seen by him.

**RULE 7. *Physician to institute quarantine.***—It shall be the duty of every physician who has been called to attend a person sick with a communicable disease to quarantine the house, tenement, or premises where such disease exists at the time of his first visit, and such quarantine shall continue in force until the health officer examines and quarantines as provided in rule 2: *Provided*, That if the attending physician at the time of his first visit is unable to make a specific diagnosis, he may quarantine the premises temporarily and until a specific diagnosis is made, and post thereon a card upon which the word "quarantine" shall be plainly written or printed.

**RULE 8. *Head of family to report to health officer.***—When no physician is in attendance, it shall be the duty of the head of the family in whose house occurs a case of infectious or contagious disease dangerous to the public health to immediately give notice thereof to the local health officer of the town in which he lives, and to isolate the person so affected until the health officer has made an examination and taken action on the case.

**RULE 9. *Teachers to report to health officer.***—It shall be the duty of every teacher to immediately report to the principal or person in charge of the school all facts relating to the illness and physical condition of any child in such school who appears to be affected with a disease presumably communicable. It shall be the duty of the principal or person in charge of the school to immediately report such facts to the local health officer, together with the name, age, and address of such child. Such child shall be at once sent home or isolated. In towns having medical inspection of schools the principal or teacher shall notify the medical inspector, who shall in turn report to the health officer.

**RULE 10. *Proprietors of hotels and boarding and lodging houses to report to health officer.***—When no physician is in attendance, it shall be the duty of the proprietor or keeper of any hotel, boarding house, or lodging house to report immediately to the local health officer all facts relating to the illness and physical condition of any person in any hotel, boarding house, or lodging house under his charge, who appears to be affected with any disease, presumably communicable, together with the name of such person.

**RULE 11. *Exclusion from school.***—It shall be the duty of each health officer when notified of the presence of any communicable disease for which a quaran-

tine is provided, except typhoid fever, to notify as soon as practicable the principal or person in charge of any public, parochial or private school, or college where any member of the affected family attends as pupil or teacher. Such principal or other person in charge shall forbid further attendance at school of any member of such family as pupil or teacher except as provided in the "modified quarantine notice," until notified by the health officer that such teacher or pupil may safely return.

**RULE 12. Duties of librarians.**—It shall be the duty of each health officer upon receiving notice of any communicable disease to notify the librarian of each public library in his town, giving the name of the disease and the name and address of the family in which the disease exists. Librarians receiving such notice shall not allow any books or periodicals to be taken by such family after such notice, and they shall not allow any books then held by any member of such family to be returned to the library until disinfected under the direction of the health officer.

**RULE 13. Health officer to investigate.**—Whenever any of the diseases mentioned in rule 1 appears in any town or city the health officer of such town or city shall personally investigate the origin of the disease. In case he shall find evidence that the disease was imported to his town or city from some other town or city in this State, he shall immediately notify the health officer of such other town or city, giving him his reasons for suspecting the disease was brought from such other town or city. He shall also notify the secretary of the State board of health of all the facts in such cases.

**RULE 14. Respect of quarantine.**—The health officer of each city and town shall take all due precautions to the end that his quarantine is respected, and shall promptly prosecute any violation of a quarantine as provided by law. He shall personally superintend the disinfection and cleaning of houses and premises when the quarantine is terminated.

**RULE 15. Physicians to be furnished blanks.**—Health officers shall furnish to all physicians practicing in their respective towns and cities, once each year, and as often as needed, blanks for reporting contagious diseases. All the physicians shall report to the health officer of their respective towns and cities, upon blanks furnished them for this purpose, each case of all the diseases mentioned in rule 1.

**RULE 16. Reports to the secretary of the State board of health.**—It shall be the duty of each health officer to notify the secretary of the State board of health, by telegraph or telephone, whenever smallpox, varioloid, poliomyelitis (infantile paralysis), cholera, yellow fever, or typhus fever appears in his town or city. He shall also immediately notify said secretary by mail upon blanks furnished for the purpose whenever any communicable disease appears in his town or city. During the continuance of any of these diseases in his town or city, it shall be the duty of each health officer to make weekly reports to the secretary of the State board of health, giving the number of the new cases and the number of deaths occurring from each of these diseases during that week.

**RULE 17. Restriction of quarantine.**—No member of any family under "full quarantine" shall leave the house or premises during the existence of such quarantine, except by written permission of the health officer, and then only at such times and under such circumstances as he shall prescribe.

No member of any family under "modified quarantine" who does not give satisfactory evidence of having had the disease then existing in such family shall leave the house and premises during the existence of such quarantine, except upon written permission of the health officer.

**RULE 18. *Carriers of disease germs.***—Any person who is a carrier of the disease germ of Asiatic cholera, diphtheria, epidemic dysentery, epidemic cerebrospinal meningitis, poliomyelitis (infantile paralysis), or typhoid fever shall be subject to such rules as the State board of health shall make for the control of such persons.

**RULE 19. *Disinfection of premises.***—No house or premises shall be released from quarantine until all persons and things liable to infection shall have been disinfected and rendered harmless, and a written notice to that effect shall have been issued to the head of the family, signed by the health officer.

Disinfection of premises after an infectious disease shall be done by the local board of health, and under the supervision of the health officer at the expense of the town or city.

**RULE 20. *Removal of articles forbidden.***—After isolation by the health officer, and without his permission, no person shall carry, remove, or cause or permit to be carried or removed from any room or building, any article which has been subject to contamination with infective material through contact with any person, or with the secretions of any persons affected with Asiatic cholera, diphtheria, scarlet fever, smallpox, typhoid fever, or poliomyelitis (infantile paralysis) until such article has been disinfected and rendered harmless under the direction of the health officer.

**RULE 21. *Sending of mail matter forbidden.***—No letter or other mail matter coming from premises under full quarantine shall be placed in any post office, or letter box, or given to any letter carrier. Any postmaster, or other postal employee, who has reason to suspect that any such mail matter is in his possession, shall immediately notify the health officer of the town, who shall disinfect such mail matter without delay.

**RULE 22. *Public funerals forbidden in certain cases.***—A public or a church funeral shall not be held of any person who has died of diphtheria, epidemic cerebrospinal meningitis, measles, poliomyelitis (infantile paralysis), scarlet fever, smallpox, or typhus fever. Any funeral of such person shall be private and shall take place as early as practicable after death occurs.

**RULE 23. *Physicians and nurses to take precautions.***—All physicians and nurses attending cases of diphtheria (membranous croup), poliomyelitis (infantile paralysis), scarlet fever, smallpox or varioloid shall carefully and thoroughly cleanse and disinfect themselves before leaving the house or premises.

**RULE 24. *Exclusion of domestic animals.***—All cats, dogs, and other pet or domestic animals on premises quarantined for smallpox, scarlet fever, diphtheria or poliomyelitis (infantile paralysis) shall be prevented from entering the sick room and shall be thoroughly washed with soap and water and disinfected with a solution of bichloride of mercury before such premises are released from quarantine.

**RULE 25. *Sale of milk and milk products prohibited.***—When a case of diphtheria, epidemic or septic sore throat, epidemic dysentery, epidemic cerebrospinal meningitis, poliomyelitis (infantile paralysis), scarlet fever, smallpox, or typhoid fever exists on any farm or any dairy producing milk, cream, butter, cheese, or other foods likely to be consumed raw, no such foods shall be sold or delivered from such farm or dairy, except under the following conditions:

If the dairy or building where such milk, milk products, or produce are produced or stored are decided by the health officer to be a safe distance from the house under quarantine, and if no person, utensil, or water from such house comes in contact with such dairy products or produce, said health officer may give permission in writing for the sale or removal of such dairy products or produce under such restrictions as he deems safe. No milk, cream, butter, cheese, or other foods likely to be consumed raw which have been exposed to

infection shall be sold or removed from infected premises under any circumstances.

**RULE 26. *Typhoid fever; special precautions to be observed.***—Each case of typhoid fever shall be placarded with the name of the disease. All nurses and other attendants on cases of typhoid fever shall disinfect all discharges from the body of the patient before the same are removed from the sick room by thoroughly mixing with an equal bulk of a 10 per cent solution of carbolic acid, cresol, or lysol. They shall also disinfect all linen and eating utensils before they are removed from the sick room, and they shall thoroughly cleanse and disinfect their own persons before handling food or drink. They shall exclude as far as possible flies and other insects from the sick room, and especially from the discharges and soiled linen.

**RULE 27. *Tuberculosis; special precautions to be observed.***—It shall be the duty of every physician called upon to attend a case of tuberculosis to give detailed instructions to the patient and nurse or other person in charge in regard to the disinfection and disposal of sputum and other infectious discharges from the patient. Such disinfection shall be done by thoroughly mixing with an equal bulk of a 10 per cent solution of carbolic acid, cresol, or lysol. Such instructions shall be given as soon as the diagnosis is made or suspected.

No person suffering from pulmonary tuberculosis shall attend any school, public or private, as pupil or teacher, nor shall any such person be employed in any such school.

After the death or removal of any person sick with pulmonary tuberculosis from any apartments or dwelling, such apartments or dwelling shall be disinfected under the direction of the health officer before further occupancy by any human being.

Whenever the local health officer decides that a person affected with tuberculosis is spitting in public places in such a manner as to endanger the public health, said health officer shall quarantine such person in such manner as shall seem to him necessary.

**RULE 28. *Diphtheria; special precautions to be observed.***—In every case of illness which there is reason to suspect is diphtheria, it shall be the duty of the attending physician, or if no physician is in attendance, of the health officer, to promptly take material for cultures from the throat of the suspected person and submit the same for examination to the State laboratory of hygiene at Burlington.

**RULE 29. *Ophthalmia neonatorum, report and treatment.***—All cases of ophthalmia neonatorum must be reported by the health officer to the secretary of the State board of health.

Should one or both eyes of an infant become inflamed, swollen, and red, and have an unnatural discharge at any time within two weeks after its birth, the nurse, relative, or other person having charge of such infant shall report in writing, within six hours thereafter, to the local health officer of the town or city in which the parents of the infant reside, the fact that such inflammation, swelling, and redness exists. Such health officer shall take such immediate action as may be necessary in order that the blindness may be prevented, and shall see that all physicians in his territory are supplied with nitrate of silver solution, furnished by the State board of health.

**RULE 30. *Rabies (hydrophobia).***—In any town in this State in which rabies, an infectious disease dangerous to the public health, is found by the State board of health to exist, every owner or keeper of a dog shall keep such dog securely muzzled whenever outside the buildings of such owner or keeper for a period of three months from the time that said board of health makes its finding of the existence of rabies in such town, and any dog found not so muzzled outside the

buildings of the owner or keeper during such three-months period shall be killed by the order of said board of health.

**Venereal Diseases—Notification of Cases—Prevention of the Spread of. (Act No. 198, Mar. 23, 1915.)**

**SECTION 1.** A person who, knowing himself to be infected with gonorrhea or syphilis, marries, shall be fined not more than \$500 or imprisoned in the house of correction for not more than two years.

**SEC. 2.** A person who, while infected with gonorrhea or syphilis, has sexual intercourse shall be fined not more than \$500 or imprisoned in the house of correction for not more than one year.

**SEC. 3.** A physician who knows or has reason to believe that a person whom he treats or prescribes for is infected with either gonorrhea or syphilis, shall immediately report the name, address, age, and sex of such person to the secretary of the State board of health, for which report he shall receive the sum of 25 cents, to be paid by the State board of health. A physician who fails to make such report shall be fined not more than \$200.

**SEC. 4.** The State board of health shall make and enforce such rules and regulations for the quarantining and treatment of cases of gonorrhea and syphilis reported to it as may be deemed necessary for the protection of the public. Said board shall not disclose the names or addresses of persons reported or treated to any person other than a prosecuting officer or in court on prosecutions under this act.

**SEC. 5.** During the months of January and July of each year said State board of health shall pay to physicians all sums due for reports made under the provisions of this act.

**SEC. 6.** The sum of \$1,000 is annually appropriated for carrying out the provisions of this act.

**SEC. 7.** Section 2 of No. 218 of the acts of 1912 is hereby repealed.

**Tuberculosis—Care of Indigent Persons—Appropriation. (Act No. 199, Mar. 31, 1915.)**

**SECTION 1.** Section 7 of No. 219 of the acts of 1912 is hereby amended so as to read as follows:

**SEC. 7.** The sum of \$10,000 is hereby annually appropriated for the purpose of carrying out the provisions of this act.

**State Board of Health—Organization—Salaries and Expenses. (Act No. 192, Mar. 31, 1915.)**

**SECTION 1.** Section 5411 of the Public Statutes, as amended by section 1 of No. 153 of the acts of 1908, by section 1 of No. 214<sup>1</sup> of the acts of 1912 and by an act of the general assembly of 1915, entitled "An act to amend section 5411 of the Public Statutes, as amended by section 1 of No. 153 of the acts of 1908 and by section 1 of No. 214<sup>1</sup> of the acts of 1912, relating to the organization, compensation of secretary and appointees of the State board of health," approved February 16, 1915, is hereby amended so as to read as follows:

"Sec. 5411. Said board shall organize by electing a president and treasurer, and shall appoint a secretary who shall be a reputable practicing physician of this State, who shall hold office until his successor is appointed, and shall be the executive officer of said board. Said board may also appoint such sanitary engineers and inspectors as in their judgment may be required. The salary of the secretary and engineers and inspectors shall be determined by said board, subject to the approval of the governor.

"The auditor of accounts shall draw orders not to exceed \$7,500 annually in payment of the salaries and actual necessary expenses of the secretary, engineers, and inspectors incurred in the discharge of their official duties.

<sup>1</sup> Reprint No. 200 from the Public Health Reports, p. 197.

"Said auditor shall also draw orders in payment of the office expenses and telephone of said secretary and for such clerical assistance as said secretary may require, said accounts having been first approved by the president and treasurer of said board. Such payments except for office expense and telephone of said secretary and such clerical assistance as said secretary may require shall not be computed as a part of the appropriation provided for by section 6166 of the Public Statutes."

**State Board of Health—Appointment—Secretary—Duties—Director of Laboratory—Appointment and Duties. (Act No. 1, Jan. 30, 1915.)**

Sec. 162. Section 5409 of the public statutes is hereby amended so as to read as follows:

Sec. 5409. The State board of health shall consist of three persons, appointed by the governor with the advice and consent of the senate, each of whom shall hold office for six years from and including the 1st day of February in the year of his appointment.

Sec. 163. Section 5410 of the public statutes is hereby amended so as to read as follows:

Sec. 5410. A member of said board shall be appointed biennially, in the month of January, in place of the one whose term then next expires. If a vacancy occurs in such office, the governor shall fill the same by appointment, and the person so appointed shall hold office until the 1st day of February in the year of the next biennial session of the general assembly; at which session the vacancy shall be filled for the unexpired term thereof by the governor with the advice and consent of the senate.

Sec. 164. Section 5422 of the public statutes is hereby amended so as to read as follows:

Sec. 5422. The secretary shall superintend the performance of the work of said board prescribed in this chapter, and shall perform such other duties as said board directs. He shall, in case of epidemics, contagious diseases, or other unusual sickness, at the request of a health officer or local board of health, render such assistance as he deems necessary. He shall, from the reports required by law to be made to him, issue in each even year registration reports, and shall, in the month of July in each even year, make report to the governor of the investigations, discoveries, and recommendations of said board and all important facts in regard to the causes and prevalence of infectious diseases. He shall furnish health officers suitable blanks upon which to make reports of infectious and contagious diseases, also blanks for physicians to report to health officers, shall include therein questions necessary to give the information desired, and may require special information of a health officer not provided for in such blanks.

Sec. 165. Section 5424 of the public statutes is hereby amended so as to read as follows:

Sec. 5424. Said board shall appoint and may remove in its discretion a director of such laboratory, who shall keep a record of the specimens sent to him for examination, and examine such specimens without unnecessary delay. He shall, before the 1st day of April in each even year, make a full report to said board of all matters pertaining to the laboratory, and shall make such other and special reports as said board may direct. Said director, with the approval of said board, may appoint such assistants as may be required.

**State Laboratory of Hygiene—Salaries of Director and First and Second Assistants. (Act No. 230, Feb. 3, 1915.)**

SECTION 1. Section 6164 of the public statutes is hereby amended so as to read as follows:

Sec. 6164. The State board of health shall fix the salaries of the director and first and second assistants of the State laboratory of hygiene, but the annual salary of the director shall not exceed \$3,000 nor shall the combined annual salaries of the first and second assistants exceed \$3,200.

**Laboratory of Hygiene—To Aid in the Control of Infectious Bovine Abortion. (Act No. 194, Apr. 2, 1915.)**

SECTION 1. The auditor of accounts shall draw his orders in favor of the Vermont State laboratory of hygiene for \$500, which sum shall be used by the director of the laboratory in the purchase of equipment for the laboratory for making tests of such samples of the blood of dairy cattle as may be forwarded to the laboratory by residents of the State who may desire to detect such animals in their herd as are likely to abort. The tests shall be made at the expense of the parties and the results thereof reported to them.

SEC. 2. The director shall furnish at the request of any resident of the State without charge, except charges for transportation, instructions for sample taking and containers in which to take the samples, and the director is hereby empowered to make all rules and regulations governing the collection and transportation of the samples, and may in his discretion refuse to test samples collected or transported contrary to such instructions, rules, and regulations. The director is further empowered to fix the fees for making such tests and no tests shall be made by the director unless accompanied by such fee.

SEC. 3. The director shall quarterly pay all such fees into the State treasury and the auditor of accounts shall quarterly draw his order in favor of the director for the expense of making such tests, but not in excess in any year of the fees so received. Any balance of such fees not required for making the tests shall become the property of the State.

SEC. 4. The directors shall annually publish a detailed statement of the receipts and expenditures incurred under this act.

SEC. 5. This act shall take effect May 1, 1915.

**Town Health Officers—Compensation. (Act No. 1, Jan. 30, 1915.)**

SEC. 166. Section 5456 of the public statutes, as amended by No. 215 of the acts of 1912, is hereby amended so as to read as follows:

SEC. 5456. For each report of a contagious disease said health officer shall receive from the town for which he acts 15 cents; for each annual report \$1; and for sanitary inspection, placarding, quarantining, and disinfection of infected buildings and premises, the same as for ordinary professional services, unless he is employed for a stipulated salary. When called by the State board of health to attend a meeting of said board he shall receive from the State his expenses and the same per diem as members of the State board.

**Schools—Medical Inspectors—Examination of Pupils. (Act No. 72, Mar. 30, 1915.)**

SECTION 1. The school directors of any town or city, or the school committee of any incorporated district, shall appoint one or more medical inspectors for their schools, provided the legal voters of such town, city, or incorporated district at their annual school meeting by vote instruct said directors or committee so to do. The compensation of such inspectors shall be fixed by the school directors or prudential committee.

SEC. 2. Such medical inspectors shall examine the pupils of said schools, and in all things comply with such rules and regulations as may be promulgated by the State board of health relating thereto.

SEC. 3. Said inspectors shall, under the same regulations, examine the pupils of any private school when requested so to do by the principal thereof, or whenever any communicable disease is present in any town or city in which such private school may be located or when the pupils thereof may have been exposed to any communicable disease.

SEC. 4. When the parents, guardians, or those having the legal control of any pupil desire that such examination be made by a physician other than the medical inspector



appointed by the school directors, such privilege shall be granted on written demand being made to the school directors therefor; and such examination when so made and certified to by such regular physician shall be in lieu of that made by the regularly appointed inspector, and such examination shall be without expense to the town.

SEC. 5. The term "medical inspectors," as used in this act shall be construed to mean either licensed physicians or trained nurses.

SEC. 6. No. 73 of the acts of 1910 is hereby repealed.

**State Board of Health—Examination and Condemnation of School Buildings and Outhouses when Insanitary. (Act No. 195, Mar. 10, 1915.)**

SECTION 1. Section 5418 of the Public Statutes is hereby amended so as to read as follows:

"SEC. 5418. Said board may examine or cause to be examined a school building or an outhouse and condemn the same as unfit for occupation or use, and the building or outhouse so condemned by written notice served upon the chairman of the board of school directors or the person having such school in charge shall not be occupied or used until the same is repaired and the sanitary condition approved by the State board of health: *Provided*, That said board shall not issue any order the compliance with which would necessitate the expenditure by a town in any one year for repairing or erecting school buildings of a sum in excess of 20 per cent of the grand list of the town. A person who violates a provision of this section shall be fined not more than \$50 nor less than \$5."

**Foodstuffs—Inspection—Condemnation of Unwholesome. (Act No. 200, Jan. 29, 1915.)**

SECTION 1. Section 5478 of the public statutes, as amended by section 3 of No. 159 of the acts of 1908, is hereby amended so as to read as follows:

"SEC. 5478. A member or officer of the State board of health, director, chemist, or inspector of the State laboratory of hygiene, or a local health officer in his own town, may inspect the carcasses of slaughtered animals intended for food, and meat, fish, vegetables, produce, fruit, or provisions, and for such purpose may enter any building, inclosure, or other place in which said carcasses or articles are stored, kept, or exposed for sale. If such carcasses or articles are designated for food for man, and are found tainted, diseased, corrupted, decayed, unwholesome, or from any cause unfit for food, the local board of health or such member or officer of the State board of health, director, chemist, or inspector of the State laboratory of hygiene shall seize the same and cause it to be forthwith destroyed or disposed of otherwise than for food."

**Drugs, Habit-Forming—Sale and Dispensing—Regulation of. (Act No. 197, Mar. 12, 1915.)**

SECTION 1. On and after the 1st day of July, 1915, it shall be unlawful for any person, firm, or corporation to sell, furnish, give away, or deliver any opium, morphine, heroin, codeine, cocaine, cannabis indica, cannabis sativa, or any preparation thereof, or any salt or compound of said substances, except upon the written prescription or written order of a registered physician, dentist, or veterinary surgeon, bearing the name of the physician, dentist, or veterinary surgeon giving it, which prescription when filled shall show the date of each filling and shall be retained on file by the druggist filling it for a period of at least two years, and it shall not again be filled except upon the order of the prescriber, given in person or in writing. The prescription shall not be copied, except for the purpose of record, by the druggist filling the same, and it shall at all times be open to inspection by the officers of the State board of health, the board of registration in pharmacy and its authorized agents, and by the police authorities and police officers of cities and towns. But the pro-

visions of this act shall not apply to prescriptions, nor to the sale, distribution, giving away, or dispensing of preparations and remedies, if such prescriptions, preparations, or remedies do not contain more than 2 grains of opium or more than one-quarter of a grain of morphine, or more than one-eighth of a grain of heroin, or more than 1 grain of codeine, or more than one-half of a grain of extract of cannabis indica, or more than one-half of a grain of extract of cannabis sativa, or any salt or compound or any of them in 1 fluid ounce, or, if a solid or semisolid preparation, to the avoirdupois ounce; nor to liniments, ointments, or other preparations which are prepared for external use only except liniments, ointments, and other preparations which contain cocaine or any of its salts; nor to compound medicinal tablets, pills, or powders containing not over one-twentieth of a grain of morphine or one-quarter of a grain of codeine or any of their salts, except heroin, to each pill, powder, or tablet: *Provided*, That such preparations, remedies, or prescriptions are sold, distributed, given away, or dispensed in good faith as medicines, and not sold for the purpose of evading the provisions of this act.

SEC. 2. It shall be unlawful for any practitioner of veterinary medicine or surgery, to prescribe any of the drugs mentioned in section 1 of this act for the use of a human being.

SEC. 3. The provisions of this act shall not be construed to prevent any lawfully authorized practitioner of medicine or of veterinary medicine or of dentistry from prescribing, administering, or dispensing any drug that may be indicated for any patient under his care: *Provided*, That such prescribing, administering, or dispensing is not for the purpose of evading the provisions of this act: *And provided further*, That every physician, veterinarian, and dentist shall keep a record in a suitable book of the names and addresses of all patients to whom he dispenses narcotics.

SEC. 4. Any manufacturer or jobber and any wholesale druggist and any registered pharmacist, physician, veterinarian, or dentist may sell opium, morphine, codeine, cocaine, heroin, cannabis indica, cannabis sativa, or any preparation thereof, or any salt or compound of such substances to any manufacturer, jobber, wholesale druggist, registered pharmacist, physician, veterinarian, or dentist, or to any incorporated hospital; but such substances or preparations, except such as are included within the exemptions set forth in section 1, shall be sold only upon a written order duly signed by such manufacturer, jobber, wholesale druggist, pharmacist, physician, veterinarian, dentist, or superintendent of such incorporated hospital, which order shall state the article or articles ordered and the date. The said orders shall be kept on file in the laboratory, warehouse, pharmacy, or store in which they are filled, by the proprietor thereof, or his successors, for a period of not less than two years from the date of delivery, and shall be at all times open to inspection by officers of the State board of health, members of the board of registration in pharmacy, or their authorized agents, and by the police authorities and police officers of cities and towns.

SEC. 5. Any person who, for the purpose of evading or assisting in the evasion of any provision of this act shall falsely represent that he is a physician, dentist, or veterinarian, or that he is a manufacturer, jobber, wholesale druggist, or pharmacist, or an agent or employee of an incorporated hospital, or who, not being an authorized physician, dentist, or veterinarian, makes or alters a prescription for any of the said substances, shall be deemed guilty of a violation of this act.

SEC. 6. A person who violates a provision of the preceding sections of this act or who aids or abets another in the violation thereof, shall be fined not more than \$1,000 nor less than \$50, or be imprisoned not more than one year, or both. Justices and municipal and country courts shall have concurrent jurisdiction of offenses under this act.

SEC. 7. The State board of health shall make a chemical analysis to determine the composition and quality of any substance mentioned in this act on application of the State's attorney of any county and shall furnish a certificate certifying to the

composition or quality thereof. Such certificate, under seal of the State board of health which shall be affixed by the chemist thereof making the analysis, shall be prima facie evidence of the composition and quality of the substance analyzed.

**Burial—Mausoleums, Vaults, Etc.—Plans for Construction of, to be Approved by State Board of Health. (Act No. 239, Mar. 23, 1915.)**

SECTION 1. A person, firm, or corporation desiring to build, construct, or erect any mausoleum, vault, or other burial structure, the same to be built or constructed entirely above ground, or partly above ground and partly by excavation, and to be built, constructed, and erected so that the same may contain 20 or more human bodies for permanent interment, shall, before proceeding to build, construct, or erect such mausoleum, vault, or other structure, present all plans for such construction to the State board of health, and, if approved by such board, may proceed with the construction and erection of such mausoleum, vault, or other burial structure.

SEC. 2. All crypts or catacombs, if any be placed in such mausoleum, vault, or other structure, shall be so constructed that all parts thereof may be readily examined by the State board of health or any health officer, and such crypts or catacombs shall be hermetically sealed after any body shall have been placed therein so that no offensive or unhealthful odor or effluvia may escape therefrom.

SEC. 3. If a person, firm, or corporation fails to hermetically seal such crypts or catacombs, so placed or constructed in such mausoleum, vault, or other burial structure, and by reason of such failure offensive odors or effluvia arise therefrom, the State board of health or the health officer of the town, village, or city in which such mausoleum, vault, or other burial structure is located shall, upon the complaint of any resident of such town, village, or city, compel the sexton or person having charge of such mausoleum, vault, or other burial structure to immediately remove the body or bodies therefrom and properly inter the same at the expense of the person, firm, or corporation owning such mausoleum, vault, or other burial structure. If no such person, firm, or corporation can be found, then such interment shall be at the expense of the town, village, or city where such mausoleum, vault, or other burial structure is located.

SEC. 4. A person, firm, or corporation who fails or refuses to comply with the provisions of this act shall be fined not more than \$500.

**Domestic Animals—Tuberculin Test—Appraisement of Condemned Animals—Live Stock Commissioner—Appointment, Duties, and Salary. (Act No. 202, Mar. 10, 1915.)**

SECTION 1. Section 1 of No. 225 of the acts of 1912 is hereby amended so as to read as follows:

SECTION 1. During the month of February, 1913, and in the month of January, 1915, and biennially thereafter, the governor shall appoint a resident of this State to act as live-stock commissioner for a period of two years next ensuing or until his successor is appointed and qualified. Said commissioner shall be paid a salary of \$1,400 a year, and shall give a bond to the State treasurer for the faithful performance of his duties in the penal sum of \$5,000. He may be removed from office by the governor for cause but only after notice and hearing. The governor shall fill a vacancy in such office. Said commissioner may employ, at the expense of the State, such clerical, veterinary, or other assistance as the governor may approve to carry out the provisions of this act; and the accounts of said commissioner for salary and expenses, including telephone service, and payments for assistance shall be audited by the auditor of accounts and paid by the State. Said commissioner shall keep a record of all permits issued and cattle or horses imported thereon; of all animals tested on behalf of the State, with the date and place of the test, name and residence of the owner, and numbers of the ear markers inserted or found in the ears of all ani-

imals; and a complete and accurate record of all other work performed under the provisions of this act. On or before the 15th day of September annually he shall make a report in writing to the governor, detailing the work done during the 12 months preceding said date, and he shall also upon request furnish the governor with information as to the progress of the work.

SEC. 2. Section 8 of No. 225 of the acts of 1912 is hereby amended so as to read as follows:

SEC. 8. A person testing cattle privately with tuberculin shall report to said commissioner; if any reactors are found they shall be appraised by the veterinarian or commissioner and paid for as provided in section 13 of this act if such test is made by a veterinarian under the authority of the commissioner. A person who fails to report a private test to said commissioner shall be fined not more than \$200 nor less than \$10, or be imprisoned not more than six months.

SEC. 3. Section 11 of No. 225 of the acts of 1912 is hereby amended so as to read as follows:

SEC. 11. The provisions of section 10 of this act shall not apply in the case of owners whose animals have been tested by the State and found free from disease since the 6th of January, 1911, nor in the case of owners whose animals have been tested by the State and retested by reason of disease being found at the first test since last mentioned date. Such owners shall keep their animals free from disease at their own expense; but if any reactors are found they shall be appraised and paid for as provided in section 13 of this act. But said commissioner may retest cattle or horses, as provided in this act, when in his judgment the conditions warrant it, and such retest shall be made at the expense of the owner.

SEC. 4. Section 13 of No. 225 of the acts of 1912 is hereby amended so as to read as follows:

SEC. 13. The value of all animals killed by order of said commissioner or his agent shall be first appraised by the owner and the commissioner or his agent. In the event of a disagreement as to the amount of the appraisal, a third disinterested person shall be selected to act with them and appraise the animals. In making such appraisal the fact that the animals have been condemned for disease shall not be considered, but in no case shall the appraisal for a single animal exceed the sum of \$50, except registered cattle, in which case the limit of appraisal shall be \$75; but a certificate of registration of such animal shall be furnished the live-stock commissioner before the claim is paid.

SEC. 5. Section 18 of No. 225 of the acts of 1912 is hereby amended so as to read as follows:

SEC. 18. A resident of this State who slaughters for human consumption at a place within this State an animal which after slaughter he finds or believes to be tuberculous, which animal shall have been owned within this State for a period of at least six months next preceding its slaughter, may forthwith notify said commissioner, in writing or otherwise, giving such statement of facts as the commissioner shall by general regulations require. The commissioner shall thereupon at the earliest date possible, in person or by agent, inspect the carcass of the animal in question, and if such carcass is tuberculous he or his agent shall appraise the same at a value not to exceed 8 cents per pound; and thereupon, within 60 days, said commissioner shall furnish a certificate thereof to the auditor of accounts, who shall draw an order in favor of the owner of such carcass for the sum of 75 per cent of the appraised value thereof, provided such claim shall be presented at the office of the commissioner within 30 days. Such diseased carcass shall be buried or destroyed by the owner and at his expense in the presence of said commissioner or his agent. In no case shall such sum of 75 per cent be reckoned on a sum greater than \$50 for a single animal. If upon examination the carcass is not found tuberculous the expenses for inspection shall be paid by the owner or the party who applied for the inspection.

SEC. 6. Section 19 of No. 225 of the acts of 1912 is hereby amended so as to read as follows:

SEC. 19. The sum of \$40,000 and, in addition thereto, whatever amount may be received by the State from the sale of condemned animals, is hereby annually appropriated for the purpose of carrying into effect the provisions of this act. In case of the outbreak within the State of some unusual or dangerous disease of domestic animals, said commissioner may use such further sums as the governor may authorize, to be paid in the manner provided by law, but the expenses so incurred shall in no case be deducted from the amount herein appropriated. If the appropriation for the use of the live stock commissioner should in any year be exhausted, the commissioner shall not test with tuberculin any cattle at the expense of the State until such time as the next appropriation shall become available; but if any resident of this State slaughters for human consumption at a place within this State an animal which after slaughter he finds to be tuberculous, if such animal shall have been owned within this State for a period of at least six months next preceding its slaughter, the same proceedings shall be had and the same payments made as are provided in section 18 of this act.

**Barbers and Barber Shops—Regulation of. (Act No. 196, Mar. 4, 1915.)**

SECTION 1. Local boards of health in all towns of this State are hereby authorized and directed to promulgate the following regulations for the management of barber shops:

(1) Mugs, shaving brushes, razors, tweezers, needles, and lances shall be sterilized by immersion in boiling water or in some sterilizing solution before every separate use thereof; and hair brushes, combs, and neck dusters shall be sterilized each morning and shall be kept in a cleanly condition at all times.

(2) Fresh clean towels or sterilized towels shall be used for each person.

(3) Alum or other material used to stop the flow of blood shall be used only in sterilized form.

(4) Powder puffs and sponges shall not be used.

(5) Every barber shop shall be provided with hot water.

(6) Every barber shall keep his hands thoroughly cleansed.

(7) The head-rest of every barber's chair shall be protected with clean paper before serving any customer.

SEC. 2. It shall be the duty of local boards of health to regularly inspect all barber shops and to enforce the preceding regulations and to prosecute all such violations as may come or be brought to their notice.

SEC. 3. Any person who violates any of the regulations herein prescribed shall be fined not less than \$5 for each offense.

## WASHINGTON.

### **County Tuberculosis Hospitals—Inspection—Quarterly Certificates—State Aid Prohibited when Institutions are Disapproved by State Board of Health. (Chap. 80, Act Mar. 16, 1915.)**

SECTION 1. That section 5554-7, Remington and Ballinger's Code, be amended to read as follows:

SEC. 5554-7. All hospitals established or maintained under the provisions of this act shall be subject to inspection by any authorized representative of the State board of health, the bureau of inspection and supervision of public offices, and the board of county commissioners, and the resident officers shall admit such representatives into every part of the hospitals and its buildings, and give them access on demand to all records, reports, books, papers and accounts pertaining to the hospital.

SEC. 2. That section 5554-11 of Remington and Ballinger's Code be amended to read as follows:

SEC. 5554-11. On the 1st day of July and quarterly thereafter the board of managers of any county operating such institution shall certify to the State auditor and the county auditor the number of persons cared for at public expense in such institution, the date when each person was admitted, and the number of weeks each person was cared for during the preceding quarter, which certificates shall be attested by the board of managers and sworn to by the superintendent, and the State auditor shall draw a warrant for the amount due according to the provisions of this act.

SEC. 3. That section 5554-14 of Remington and Ballinger's Code be amended to read as follows:

SEC. 5554-14. No institution operating under the provisions of this act shall be entitled to participation in the State aid herein provided for, if said institution shall be disapproved by the State board of health and such disapproval certified to the State auditor.

### **County Health Officers—Annual Convention. (Chap. 75, Act Mar. 9, 1915.)**

SECTION 1. That it shall be the duty of the State commissioner of health to hold annually a convention of county health officers, at such place as he shall deem convenient, for the discussion of questions pertaining to public health and sanitation. Said convention shall continue in session for such time not exceeding three days as the said commissioner of health shall deem necessary. It shall be the duty of the health officer of each county to attend said convention during its entire session, and such officer shall receive his actual and necessary traveling expenses, to be paid by said county: *Provided*, That no claim for such compensation or expenses shall be allowed or paid unless it be accompanied by a certificate from the State commissioner of health attesting the attendance of such health officer at said convention.

### **Eggs—Sale of—Classification and Labeling. (Chap. 94, Act Mar. 16, 1915.)**

SECTION 1. For the purposes of this act, eggs shall be classified and branded as follows:

(a) Cold-storage eggs shall include all eggs which have been in cold storage for more than 90 days, and before being offered for sale shall be branded or stamped with the words "storage."

(b) Preserved eggs shall include eggs in which the natural deterioration has been prevented or retarded by any means, process or treatment whatsoever, and before being offered for sale shall be branded or stamped with the word "preserved."

(c) All eggs imported into the State of Washington from foreign countries shall be sold as such. The case or container in which they are shipped shall have the words "foreign eggs" displayed thereon in letters 2 inches high. All retailers of said eggs shall sell them from the container in which he received them and shall inform each purchaser that said eggs are foreign eggs. All restaurants, hotels, cafés, bakeries, and confectioners using or serving foreign eggs must place a sign in letters not less than 4 inches in size in some conspicuous place where the consumer entering their place of business can see it, to read "we use foreign eggs."

(d) Incubated eggs shall include all eggs which have been subjected to incubation, whether natural or artificial, for more than 48 hours, and it shall be unlawful to expose or offer for sale or sell incubated eggs.

SEC. 2. Every person, firm, or corporation having in his possession for the purpose of sale or offering for sale any eggs shall classify and brand the same with the classification provided for in section 1 of this act.

SEC. 3. The term "branded" or "stamped" as used in this act shall mean a mark, imprint, or impression made by means of a rubber stamp, stencil, or other method upon the package containing eggs offered for sale or upon the receptacle from which eggs are offered for sale, and such brand shall be legible and in Gothic letters not smaller than 1 inch in height, except foreign eggs, and they shall be marked as provided for in paragraph (c) of section 1.

SEC. 4. The word "person" as used in this act shall mean and include individuals and employees or agents of individuals, firms and members of firms and their employees and agents, corporations and officers of corporations and their employees and agents.

SEC. 5. Every person who shall violate any provision of this act shall be guilty of a misdemeanor.

#### **Births and Deaths—Registration of. (Chap. 180, Act Mar. 19, 1915.)**

SECTION 1. That section 5424 of Remington and Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

SEC. 5424. That for the purposes of this act the State shall be divided into registration districts as follows: Each city of the first, second, and third class shall constitute a primary registration district, and each county, exclusive of the portion included within cities of the first, second, and third class, shall be subdivided by the State registrar into districts in such manner as may appear necessary for the convenience of the people, and each such district shall constitute a primary registration district, and each primary registration district shall be numbered by the State registrar.

SEC. 2. That section 5425 of Remington and Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

SEC. 5425. The health officer of each city of the first, second, and third class shall be the local registrar in and for such primary registration district, and shall perform all the duties of the local registrar as hereinafter provided. The State registrar shall appoint a suitable person in and for each registration district not included in the cities of the first, second, or third class, who shall hold such position during the pleasure of the State registrar, and shall perform all of the duties of local registrar, as hereinafter provided. Each local registrar shall appoint, in writing, a deputy who shall be authorized to act in case of the absence, death, illness, or disability of the local registrar, and shall certify the appointment of such deputy to the State registrar.

SEC. 3. That section 5426 of Remington and Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

SEC. 5426. That it shall be unlawful for any person to inter, deposit in a vault, grave, or tomb, cremate, or otherwise dispose of, or disinter or remove from one regis-

tration district to another, or hold for more than 72 hours after death, the body or remains of any person whose death occurs in this State or any body which shall be found in this State, without obtaining, from the local registrar of the district in which the death occurred or in which the body was found, a permit for the burial, disinterment, or removal of such body: *Provided*, That any licensed embalmer of this State may temporarily remove any such body of a person dying in this State from the place where death occurred outside of the corporate limits of any city of the first, second, or third class to another registration district for the purpose of preparing the same for burial without having first obtained a removal permit, but in such case the embalmer shall at the time of securing a burial, removal, or transit permit for such body, filed [sic] with the registrar from whom such permit is secured, upon a blank to be furnished by the State registrar, a certificate in writing of such temporary removal, signed by the embalmer, and it shall be unlawful for any person to bring into or transport within the State, or inter, deposit in a vault, grave, or tomb, or cremate, or otherwise dispose of the body or remains of any person whose death occurred outside this State unless such body or remains be accompanied by a removal or transit permit issued in accordance with the law and health regulations in force where the death occurred or unless a special permit for bringing such body into this State shall be obtained from the State registrar.

SEC. 4. That section 5427 of Remington and Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

SEC. 5427. That stillborn children or those dead at birth shall be registered as births and also as deaths, and a certificate of both the birth and the death shall be filed with the local registrar, in the usual form and manner, the certificate of birth to contain in place of the name of the child, the word "stillbirth." The medical certificate of the cause of death shall be signed by the attending physician or midwife, if any, and shall state the cause of death as "stillborn," with the cause of the stillbirth, if known, and if born prematurely, the period of uterogestation, in months, if known; and a burial or removal permit in usual form shall be required: *Provided*, That a certificate of birth or death shall not be required for a stillborn child that has not advanced beyond the seventh month of uterogestation.

SEC. 5. That section 5429 of Remington and Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

SEC. 5429. That in case of any death occurring without medical attendance, it shall be the duty of the undertaker, or any person acting as such, to notify the local registrar of the registration district where such death occurs, or the coroner, if in a county of the first class, of such death, and the local registrar shall at once investigate the circumstances of the case and make a certificate and return of death noting upon the certificate the fact that such death occurred without medical attendance: *Provided*, If the local registrar is not a qualified physician and the cause of death is obscure or uncertain, the local registrar shall refer the case to the health officer having jurisdiction over the locality where the death occurred, for certification: *And provided further*, That if the circumstances of the case render it probable that the death was caused by unlawful means, the local registrar shall refer the case to the coroner, if the death occurred in a county of the first class, or to the prosecuting attorney, if the death occurred in any county other than a county of the first class, for certification.

SEC. 6. That section 5430 of Remington and Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

SEC. 5430. That it shall be the duty of every undertaker or person acting as undertaker, to obtain a certificate of death and file the same with the local registrar, and secure a burial or removal permit, prior to any permanent disposition of the body. He shall obtain the personal and statistical particulars required, from the person best qualified to supply them, over the signature and address of such person or state over his own signature that after careful inquiry he could not obtain such



particulars. In case such deceased be a stranger whose identity can not be determined it shall be the duty of the undertaker having such body in charge to have a photograph taken of such deceased and a copy of such photograph shall be filed with the secretary of the State board of health. He shall then present the certificate to the attending physician, if any, or in case the death occurred without any medical attendance, to the proper official for certification as hereinabove provided, for the medical certificate of the cause of death and other particulars necessary to complete the record as hereinabove provided. And he shall state the facts required relative to the date and place of burial, over his signature and with his address, and present the completed certificate to the local registrar, for the issuance of a burial or removal permit. The undertaker shall deliver the burial permit to the sexton, or person in charge of the place of burial, before interring the body; or shall attach the transit permit containing the local registrar's removal permit, to the box containing the corpse, when shipped by any transportation company, and said permit shall accompany the corpse to its destination, provided that when a body is removed from one registration district in Washington to another for interment, cremation, or other permanent disposition not requiring the use of common carrier or the issuance of a transit permit, the registrar's removal permit from the district where the death occurred may be accepted as authority for burial in the other district. It shall be the duty of every person, firm, or corporation selling a casket to keep a record showing the name and post-office address of the purchaser, the name of the deceased, which record shall be open to inspection of the State registrar at all times, and it shall be the duty of every person, firm, or corporation selling caskets to, on the 1st day of each month, report to the State registrar each sale for the preceding month, on a blank provided for that purpose: *Provided, however,* That no person, firm, or corporation selling caskets to dealers or undertakers only shall be required to keep such record. It shall be the duty of every person, firm, or corporation selling a casket at retail, and not having charge of the disposition of the body, to inclose within the casket a notice furnished by the State registrar calling attention to the requirements of the law, a blank certificate of death, and a copy of the rules and regulations of the State board of health concerning the burial or other disposition of dead bodies.

SEC. 7. That section 5432 of Remington and Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

SEC. 5432. It shall be unlawful for any person in charge of any premises in which bodies of deceased persons are interred, cremated, or otherwise permanently disposed of, to permit the interment, cremation, or other disposition of any body upon such premises unless it is accompanied by a burial, removal, or transit permit as hereinabove provided. It shall be the duty of the person in charge of any such premises to, in case of the interment, cremation, or other disposition of a body therein, indorse upon the permit the date and character of such disposition, over his signature, to return all permits so indorsed to the local registrar of his district within 10 days from the date of such disposition, and to keep a record of all bodies disposed of on the premises under his charge, stating, in each case, the name of the deceased person, if known, the place of death, the date of burial or other disposition, and the name and address of the undertaker, which record shall at all times be open to public inspection, and it shall be the duty of every undertaker, or person acting as such, when burying a body in a cemetery or burial grounds having no person in charge, to sign the burial, removal, or transit permit, giving the date of burial, write across the face of the permit the words "no person in charge," and file the burial, removal, or transit permit within 10 days with the registrar of the district in which the cemetery is located.

SEC. 8. That section 5436 of Remington and Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

SEC. 5436. It shall be the duty of every local registrar when any certificate of birth of a living child is presented without statement of the given name, to make out and

deliver to the parents of such child a special blank for the supplemental report of the given name of the child, which shall be filled out as directed and returned to the registrar as soon as the child has been named.

SEC. 9. That section 5439 of Remington and Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

SEC. 5439. That the State registrar shall prepare, print, and supply to all registrars all blanks and forms used in registering, recording, and preserving the returns, or in otherwise carrying out the purposes of this act; and shall prepare and issue such detailed instruction as may be required to secure the uniform observance of its provisions and the maintenance of a perfect system of registration. And no other blanks shall be used than those supplied by the State registrar. He shall carefully examine the certificates received monthly from the local registrars, and if any such are incomplete or unsatisfactory, he shall require such further information to be furnished as may be necessary to make the record complete and satisfactory, and shall cause such further information to be attached to and filed with the certificate. He shall furnish, arrange, bind, and permanently preserve the certificates in a systematic manner, and shall prepare and maintain a comprehensive and continuous card index of all births and deaths registered; the cards to show the name of the child or deceased, place and date of birth or death, number of certificate, and the volume in which it is contained. He shall inform all local registrars of the diseases which are to be considered as infectious [sic] to the public health, as decided by the State board of health, in order that when death occurs from such diseases proper precautions may be taken to prevent the spreading of dangerous diseases. If any cemetery company or association, or any church or historical society or association, or any other company, society, or association, or any individual, is in possession of any record of births or deaths which may be of value in establishing the genealogy of any resident of this State, such company, society, association, or individual may file such record or a duly authenticated transcript thereof with the State registrar, and it shall be the duty of the State registrar to preserve such record or transcript and to make a record and index thereof in such form as to facilitate the finding of any information contained therein. Such record and index shall be open to inspection by the public, subject to such reasonable conditions as the State registrar may prescribe. If any person desires a transcript of any record filed in accordance herewith the State registrar shall furnish the same upon application, together with a certificate that it is a true copy of such record, as filed in his office, and for his services in so furnishing such transcript and certificate he shall be entitled to a fee of 50 cents per hour or fraction of an hour necessarily consumed in making such transcript, which fee shall be paid by the applicant.

SEC. 10. That section 5441 of Remington and Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

SEC. 5441. That each local registrar shall be paid the sum of 25 cents for each birth or death certificate properly and completely made out and registered with him and by him returned to the State registrar on or before the 10th day of the following month, which sum shall cover and include the making out of the burial permit and copy of the certificate to be filed and preserved in his office. And in case no births or deaths were registered during any month, the local registrar shall be paid the sum of 25 cents for each report to that effect, properly made out in accordance with the directions of the State registrar: *Provided*, That all local registrars who receive regular compensation as health officers shall not be entitled to the fee of 25 cents, above mentioned, but the duties of the local registrar shall be considered as a part of their duty as local health officer. All fees payable to local registrars under the provisions of this act shall be paid by the treasurer of the county or city, as the case may be, properly chargeable therewith, out of the funds of such county or city, upon warrants drawn by the auditor, or other proper officer of such county or city. No warrant shall be issued to any local registrar except upon a certificate, signed and verified under oath by the

State registrar, stating the names and post-office address, respectively, of the local registrars entitled to fees from such county or city, and the number of certificates and reports of births or deaths, properly returned to the State registrar, by each such local registrar, during the three preceding calendar months prior to the date of such certificate, and the amount of fees to which each local registrar is entitled, which certificate the State registrar shall file with the proper officers during the months of January, April, July, and October of each year. Upon the filing of such certificates it shall be the duty of the auditor or other proper officer of the county or city to issue warrants for the amount due each local registrar and mail the same to the local registrars at their respective post-office addresses, as given in such certificate of the State registrar.

SEC. 11. That section 5442 of Remington and Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

SEC. 5442. It shall be the duty of the State registrar to, upon request, furnish any applicant with a certified copy of the record of any birth or death, registered under the provisions of this act, for the making and certification of which he shall be entitled to a fee of 50 cents, to be paid by the applicant. For any search of the files and the records when no certified copy is made, the State registrar shall be entitled to a fee of 50 cents for each hour or fractional part of an hour employed in such search, to be paid by the applicant. But the State registrar and all local registrars shall furnish upon application, certificates of the age of children to be used in attending the public schools or in obtaining employment permits without fee or compensation. The State registrar shall keep a true and correct account of all fees received by him under the provisions of this act, and turn the same over to the State treasurer on the 1st day of January, April, July, and October. Local registrars in cities of the first, second, and third class shall be entitled to charge for certified copies of records of births and deaths and for searching of records when no certified copy is made, the same fee as hereinabove provided for the State registrar, but such fees, if any collected, shall be paid into the treasury of the city where collected.

SEC. 12. That section 5443 of Remington and Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

SEC. 5443. Every person who shall violate or wilfully fail, neglect, or refuse to comply with any provision of this act shall be guilty of misdemeanor, and for a second offense shall be punished by a fine of not less than \$25, and for a third and each subsequent offense shall be punished by a fine of not less than \$50 or more than \$250; or by imprisonment for not more than 90 days, or by both fine and imprisonment; and every person who shall wilfully furnish any false information for any certificate required by this act or who shall make any false statement in any such certificate shall be guilty of a gross misdemeanor.

**Hotels—Sanitary Regulation.** (Chap. 29, Laws of 1909, as Amended by Chap. 169, Act Mar. 19, 1915.)

SECTION 1. Every building or structure kept, used, or maintained as, or advertised as, or held out to the public to be an inn, hotel, or public lodging house, or place where sleeping accommodations are furnished to the public for hire in periods of less than one week, in which five or more rooms are used for the sleeping accommodation of its guests, shall, for the purpose of this act, be defined to be a hotel, and whenever the word hotel shall occur in this act it shall be construed to mean and embrace every such structure as is described in this section. Tents or cottages, when used in connection with such hotel for the accommodation of its guests, shall be taken and considered as being a part of such hotel. Where any room of a hotel contains more than one bed, every bed in excess of one shall, for the purpose of this act, be counted as an additional room.

[Sections 2 to 5, inclusive, relate to fire escapes.]

SEC. 6. Every hotel shall furnish each guest with clean linen or cotton individual towels, in each room occupied by such guests. A sufficient supply of clean sheets and pillow slips shall be provided for the bed, bunk, or cot to be occupied by a guest, and all sheets and pillow slips, after being used by one guest, must be washed, ironed, and dried before being furnished to another guest. Each sheet used shall be at least 99 inches, torn-off length, by 81 inches wide for full-size beds, and for narrower beds of sufficient width to completely cover the mattress and springs, but no sheet shall be used that measures less than 90 inches in length after being made and laundered: *Provided*, That hotels shall be privileged to use sheets now on hand that comply with the present law.

SEC. 7. No ashes from any hotel shall be dumped or kept in or adjacent thereto, or in any outhouse connected with any hotel, unless the same shall be placed in a tight metal container, with a tight metal lid thereon.

SEC. 8. Each and every hotel having a public washroom shall keep therein at all times a sufficient supply of clean towels, in a place in sight at all times and easy of access to guests.

SEC. 9. Whenever any room in any hotel shall have been occupied by any person sick with or exposed to any contagious, infectious, or communicable disease such room shall be thoroughly fumigated in accordance with the directions of the local health officer, and all bedding therein thoroughly disinfected before such room shall be occupied by another person. But in any event such room shall not be occupied by any person for at least 48 hours after such fumigation and disinfection.

SEC. 10. Every hotel shall be well drained, constructed, and plumbed according to sanitary rules to be established by the State board of health and shall be kept clean and in a sanitary condition and free from effluvia arising from any sewer, drain, privy, or other source within the control of the owner, manager, agent, or other person in charge; and shall be provided with water-closets or privies properly screened for the separate use of males and females, which water-closets or privies shall be disinfected as often as may be necessary to keep them at all times in a sanitary condition.

SEC. 11. Every owner, manager, agent, or person in charge of a hotel who shall fail to comply with any of the provisions of this act shall be deemed guilty of a misdemeanor and shall be fined not less than \$10 nor more than \$100 or shall be imprisoned in the county jail for not less than 10 days nor more than 3 months, or both, and every day that such hotel is carried on in violation of this act shall constitute a separate offense.

SEC. 12. For the purpose of carrying into effect the provisions of this act the governor, by and with the approval of the senate, shall appoint an inspector of hotels, who shall hold office for four years and until his successor is appointed and qualified; but the governor may remove such inspector and appoint another in his place whenever he shall deem it necessary for the public good. Said inspector shall receive an annual salary of \$1,800, together with his necessary traveling expenses, payable monthly. He shall give bond to the State in the penal sum of \$5,000, conditioned for the faithful performance of his official duties, to be approved by the secretary of state.

SEC. 13. Such inspector may appoint, and at pleasure remove, one deputy inspector for each congressional district, who shall assist under his direction in performing within his district the duties imposed by this act. They shall each give bond to the State in the sum of \$2,000, with like conditions as that of the inspector, to be approved by the secretary of state. They shall receive such compensation, not exceeding \$125 per month and their necessary traveling expenses, to be paid according to law, as the inspector may prescribe.

SEC. 14. It shall be the duty of the inspector and his deputies to see that all of the provisions of this act are complied with, and said inspector, or the deputy for the district, shall personally inspect once in each year every hotel as defined by this act. Said inspector and his deputies are hereby granted police power to enter any hotel

at reasonable hours to determine whether the provisions of this act are being complied with. The inspector shall keep a complete set of books for public use and inspection, showing the conditions of each hotel so inspected, together with the name or names of the owners, proprietors, and managers thereof, and showing its sanitary condition, the number and condition of its fire escapes, and any other information for the betterment of the public service.

SEC. 15. If the inspector shall find, after examination of any hotel, that this law has been fully complied with and the inspection fee has been paid to the inspector, he shall issue a certificate to that effect to the person operating the same, and said certificate shall be kept posted up in a conspicuous place in said inspected building.

SEC. 16. Any inspector who shall willfully certify falsely regarding any building inspected by him, and who shall issue a certificate to any person operating any hotel when such person has not complied with the provisions of this act, shall, on conviction thereof, be fined not less than \$50 nor to exceed \$500 and may be imprisoned not to exceed one year in the county jail, or both, at the discretion of the court, and upon conviction shall be forever disqualified to hold said office.

SEC. 17. Any owner, manager, agent, or person in charge of a hotel who shall obstruct or hinder an inspector in the proper discharge of his duties under this act, or who shall refuse or neglect to pay the fee for inspection prescribed herein, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$10 nor more than \$100 or shall be imprisoned in the county jail for not less than 10 days nor more than three months, or both.

SEC. 18. It shall be the duty of the inspector, upon ascertaining by inspection or otherwise, that, after one year from the passage of this act, any hotel is being carried on contrary to its provisions, to make complaint and cause the arrest of the person so violating same, and it shall be the duty of the prosecuting attorney in such case to prepare all necessary papers and conduct such prosecutions.

SEC. 19. The hotel inspector shall collect an annual inspection fee for each hotel which shall be paid according to the following schedule:

Hotels containing from 5 to 10 sleeping rooms, inclusive, \$3; hotels containing from 11 to 20 sleeping rooms, inclusive, \$4; hotels containing from 21 to 60 sleeping rooms, inclusive, \$7; hotels containing from 61 to 100 sleeping rooms, inclusive, \$10; hotels containing over 100 sleeping rooms, \$12.50. Such fee shall be collected by the inspector at the time of the inspection, and if not paid upon demand the inspector or deputy may sue therefor in his own name for the use of the State in the superior court of the State for the county in which such hotel is situated, and in such case the court shall allow and enter as a part of the judgment against the defendant all the costs of such action, including a reasonable fee for any attorney necessarily employed in such action by the inspector. Such inspection fees shall be a lien on the furniture and equipment of the owners or proprietors of the hotel and shall be paramount to all other liens excepting taxes, and such furniture and equipment shall not be exempt from execution in the collection thereof. All moneys collected under the provisions of this act shall be paid into the State treasury in the manner provided by law.

SEC. 20. For the payment of salaries of the State hotel inspector and his deputies, for necessary traveling expenses, office stationery, supplies, and incidentals there is hereby appropriated out of any funds in the State treasury not otherwise appropriated the sum of \$25,000, or so much thereof as may be necessary, to be paid according to law, but in no event shall the amount appropriated during any biennial period exceed the collections under this act during said period.

**Domestic Animals—Communicable Diseases—Bovine Tuberculosis. (Chap. 100, Act Mar. 16, 1915.)**

SECTION 1. On the written application of the owner of any bovine animal to the commissioner of agriculture for the examination and testing of such animal to ascertain whether the same is infected with tuberculosis, it shall be the duty of the com-

missioner of agriculture to cause such examination and test to be made, and in case more than one application shall be filed the examination and tests shall be made in the order of the filing of the applications. The inspector of the department of agriculture making the examination and test shall be a veterinarian duly licensed to practice veterinary medicine, surgery, and dentistry in this State, and shall qualify by giving a bond to the State of Washington with sufficient surety to be approved by the commissioner of agriculture in the penal sum of \$2,000.

SEC. 2. On such examination and test being completed, if the inspector shall believe that the animal inspected is infected with tuberculosis the owner of the animal shall have the option of indemnity or quarantine; if he selects indemnity, the owner and inspector shall appraise the value of the suspected animal. In the event of their failing to agree upon the value they shall call upon the nearest county agricultural expert to decide the matter, or in case there be no county agricultural expert in the county they shall apply to the judge of the superior court of the county where the animal or animals are located to appoint a third appraiser. The animal shall then be slaughtered under the inspection of the owner or his agent, should either of them desire to be present, and under the supervision of the inspector of the department of agriculture, and the inspector shall make a post-mortem examination and determine whether or not the animal is infected with tuberculosis. The slaughtered animal shall then be sold under the supervision of the inspector and the proceeds of the sale shall be remitted to the owner of the animal.

If the proceeds of the sale shall not equal the appraised value of the animal the department of agriculture shall cause to be paid to the owner of the animal the difference between the proceeds of the sale and the appraised value of the animal: *Provided*, That in no case shall the State be required to pay any deficiency that will make the total amount received by the owner more than \$75 for an animal found free from tuberculosis upon post-mortem examination, or more than \$35 for an animal found infected with tuberculosis. Every county agricultural expert who shall act as an appraiser as hereinabove provided shall receive his actual necessary traveling expenses in going to and returning from the place of appraisal, and every appraiser appointed by the judge of the superior court shall receive his actual and necessary traveling expenses and a per diem of \$3 for the time actually spent, to be paid by the State: *And provided further*, That the State shall not be required to pay the owner of any animal imported into this State within six months prior to such inspection and test the sums hereinabove provided for, but the owner of such animal shall receive the proceeds of the sale of such slaughtered animal: *And provided further*, That the right to indemnity shall not exist, nor shall payment be made for any animal owned by the United States, this State, or any county, city, or village in this State.

SEC. 3. Whenever the appropriation made by the legislature for the purpose of carrying out the provisions of this act during any biennium shall be exhausted, no further animals shall be slaughtered under the provisions of this act.

SEC. 4. Whenever the commissioner of agriculture shall have reason to believe that any bovine animal about to be imported into this State is infected with tuberculosis he shall have the power and authority to quarantine such animal at the State line and make an examination and test thereof, and if any such animal shall be found to be infected with tuberculosis it shall not be permitted to enter this State.

SEC. 5. That section 3203 of Remington and Ballinger's Code be amended to read as follows:

SEC. 3203. The commissioner of agriculture shall have general supervision of all contagious and infectious diseases among domestic animals within or that may be in transit through the State and he is empowered to establish quarantine against any and all such animals affected with any contagious or infectious disease or diseases or that may have been exposed to others thus diseased, whether within or without the State: *Provided*, That no bovine animal that has been in this State more than six

months shall be quarantined for tuberculosis without the tuberculine test, and the commissioner of agriculture is empowered to establish and enforce quarantines for such length of time as he may deem necessary to determine whether any bovine animal about to be imported into this State for feeding, breeding, or dairy purposes is infected with tuberculosis, and he may with the concurrence of the State board of health make such rules and regulations as he may deem necessary for the protection against the spread and for the suppression of contagious or infectious diseases among domestic animals, which rules and regulations shall be published and enforced, and in doing said things, or any of them, he shall have the power to call on any one or more peace officers, whose duty it shall be to give him all the assistance in their power, and every person violating or failing to comply with any such rule or regulation shall be guilty of a misdemeanor.

SEC. 6. That section 3204 of Remington and Ballinger's Code be amended to read as follows:

SEC. 3204. Quarantine shall mean the placing and restraining of any animal or animals by the owners or agents in charge of them within certain inclosures described or designated by the commissioner of agriculture, the assistant commissioner of agriculture assigned to the division of dairy and live stock or any inspector of the department of agriculture, in writing. Any owner or owners or agent who fails to comply with or willfully violates or negligently allows such quarantine to be violated by the escape and running at large of quarantined animals shall be guilty of a misdemeanor.

SEC. 7. That section 3211 of Remington and Ballinger's Code be amended to read as follows:

SEC. 3211. It shall be unlawful to bring into the State of Washington any horses, cattle, or swine for work, feeding, breeding, or dairy purposes without first having such animals examined and found free from the following contagious diseases: Glanders, farcy, tuberculosis, actinomycosis, rinderpest, foot-and-mouth disease, contagious abortion, contagious keratitis, scabies, *maladie du coit*, swine plague, and hog cholera, and without having obtained a permit so to do from the commissioner of agriculture, the assistant commissioner of agriculture assigned to the division of dairy and live stock, or an inspector of the department of agriculture assigned to the division of dairy and live stock, and no railroad or transportation company, or other common carrier shall bring any such animals into this State without first having had the same examined and found free from said diseases and having obtained the permit hereinabove provided for. The provisions of this section shall not apply to animals imported into this State for immediate slaughter, or to range stock cattle imported into this State for range pasturage or beef cattle imported for the purpose of feeding in transit, but it shall be unlawful to sell such cattle for dairy purposes.

SEC. 8. It shall be unlawful for any person, firm, or corporation to sell for dairy or breeding purposes any animal imported into this State for immediate slaughter.

SEC. 9. For the purpose of carrying out the provisions of this act the sum of \$25,000, or so much thereof as may be necessary, is hereby appropriated out of any moneys in the general fund not otherwise appropriated.

## WEST VIRGINIA.

### State Department of Health—Organization, Powers, and Duties. (Chap. 11, Act Feb. 26, 1915.)

SECTION 1. There is hereby created and established a State department of health, which shall be constituted as provided in this act, and shall exercise all the powers and duties now conferred and imposed by law upon the State board of health, and such other powers and duties as are herein provided for.

The State department of health shall consist of a commissioner of health, whose office shall be located at the seat of government; a public health council, of which the commissioner shall be an ex-officio member; directors of divisions, and other employees as herein provided for.

SEC. 2. The commissioner of health shall be appointed by the governor, by and with the consent of the senate, and shall be a physician skilled in sanitary science, and experience in public health administration. The term of office of the commissioner of health shall be four years; he shall receive an annual salary of \$3,000 and necessary expenses incurred in the performance of official business, and shall not engage in any other occupation or business.

The commissioner of health shall be the administrative head of the State department of health and he shall be ex officio a member of its public health council. His duties shall be to administer the laws and regulations of the department; to prepare rules and regulations for the consideration of the public health council; and with the approval of said council, to appoint, remove, and fix the compensation of the directors of divisions and all other employees; but said compensation shall be within the limitations of appropriation therefor; to advise with the public health council; keep himself informed as to the work of each local health officer within the State; aid each health officer in the performance of his duties; assist each local health officer in making an annual sanitary survey of the territory within his jurisdiction, and in maintaining therein a continuous sanitary supervision; adjust questions of jurisdiction arising between local health officers within the State; study the cause of excessive mortality or morbidity from any disease in any portion of the State; promote efficient registration of births, deaths, and notifiable diseases; inspect and report from time to time the sanitary condition of institutions, schools and schoolhouses, public conveyances, dairies, creameries, slaughterhouses, workshops, factories, labor camps, hotels, and places where offensive trades or industries are conducted; inspect and report the sanitary condition of streams, sources of water supply, the sewerage facilities; endeavor to enlist the cooperation of all physicians and volunteer health organizations in the improvement of public health; promulgate information to the general public in all matters pertaining to the public health. He shall perform all executive duties now required by law of the State board of health and other customary duties incident to his position as chief executive officer, and shall provide for offices and equipment necessary for the transaction of the business of the State department of health, out of funds appropriated for the State department of health.

He shall submit annually to the governor on or before the 1st day of November, or as soon thereafter as practicable, a report of the operations of the department, with any recommendations he may have to make, which report shall be printed and distributed as soon as practicable thereafter in the same manner as other public documents of the State.



The commissioner, whenever required by the governor, shall report to him as to any designated subject or matter, and furnish such information as may be required.

The commissioner of health may direct any official or employee of the State department of health to assist in the study, control, suppression, and prevention of diseases in any part of the State, and necessary expenses shall be paid while in the performance of such duty.

SEC. 3. The public council shall consist of the commissioner of health and six other members, who shall be appointed by the governor, by and with the consent of the senate. Said commissioner and other members shall be graduates of a regular medical school and shall have at least five years' experience in the practice of medicine. Of the members, other than the commissioner, first appointed, three shall hold office for two years, and three for four years; the terms of offices of members thereafter appointed, except to fill vacancies, shall be four years. Vacancies shall be filled by appointment for the unexpired term. The public-health council shall meet at least twice a year, and at such other times as they shall determine by their rules, or upon the request of the commissioner of health, the members, other than the commissioner, to receive \$10 per diem, not to exceed 60 days in any one calendar year, and actual and necessary traveling expenses, when engaged in the actual discharge of their duties.

The public-health council shall elect one of its members president, whose term of office shall be two years. The commissioner of health shall be secretary of the public-health council.

It shall be the duty of the public-health council to promulgate rules and regulations, take evidence of appeals, approve plans and appointments, hold hearings, advise with the commissioner of health, define the qualification of local health authorities, and directors of divisions and said directors of divisions shall be graduates of reputable colleges and discharge other like duties required by law of the present State board of health.

The public-health council shall have power, by the affirmative vote of the majority of its members, to establish, and from time to time amend, regulations under the public-health laws, the enforcement of which devolves upon the State commissioner of health.

Every general regulation adopted by the public-health council shall state the day on which it takes effect, and a copy thereof, duly signed by the commissioner of health, shall be filed in the office of the secretary of state, and a copy thereof shall be sent by the commissioner of health to each health officer within the State, and shall be published in such manner as the public-health council may determine. Any violation of the regulations so promulgated, when said regulations are reasonable and not inconsistent with the law, shall be a misdemeanor and punishable by a fine of not less than \$10 nor more than \$300, and by imprisonment, in the discretion of the court, for not more than 30 days in the county jail.

SEC. 4. Inspectors, examiners, or other persons appointed by the commissioner of health may be appointed at such time or times as by him deemed necessary; and they shall act as representatives of the commissioner of health, and under his direction shall secure the enforcement of the provisions of the public-health laws and regulations and shall have the right of entry into any workshop, public school, factory, dairy, creamery, slaughterhouse, hotel, or other place of business or employment, or any common carrier or public utility when in the discharge of his duties. Any person interfering with or attempting to interfere with any inspector, examiner, or any other duly authorized employee of the commissioner in the discharge of his duties under this section shall be guilty of a misdemeanor and upon conviction fined not exceeding \$100.

SEC. 5. There shall be in the State department of health the following divisions:

Division of preventable diseases.

Division of sanitary engineering.

The commissioner of health shall appoint, with the advice of the public health council, a director to take charge of each division, and shall prescribe, with the advice of the public health council, the duties pertaining to each division and arrangement of the subdivisions, if any, thereof. The compensation of directors of divisions shall be fixed by the governor and commissioner of health in the manner herein provided.

SEC. 6. The State department of health shall have the authority to enforce all the laws of the State concerning the public health, and shall take care to protect the life and health of the inhabitants of the State, and to that end shall make or cause to be made sanitary investigations and inquiries respecting the cause of diseases, especially of epidemics, endemics, and the means of prevention, suppression, or control, the source of mortality and the effects of localities, employments, habits, and circumstances of life on the public health, and shall gather information in respect to these matters and kindred subjects for diffusion among the people. It shall inspect and examine food, drink, and drugs offered for sale or public consumption in such manner as shall be deemed necessary, and shall report all violations of all laws of this State relating to pure food, drink, and drugs to the prosecuting attorney of the county in which such violations occur and lay before such prosecuting attorney the evidence in its knowledge of such violations. The commissioner of health or any member of the public health council may make complaint and cause proceedings to be instituted against any person or persons or corporation for a violation of any of the health laws of this State without the sanction of the prosecuting attorney of the county in which proceedings are instituted if said officer fail or refuse to discharge his duty, and in no such cases shall they be required to give security for costs.

SEC. 7. Whenever the character and location of plumbing, drainage, water supply, sewers, and disposal of sewage, garbage, or other waste materials of cities, towns, and villages, offensive trades, hotels and labor camps, and the ventilation, warming, natural lighting, and excreta disposal in public utilities, in public halls, churches, schoolhouses, workshops, prisons, and all other public institutions are such as to endanger the public health, the public health council shall have power to make and enforce rules regulating the same.

It shall promulgate and recommend regulations, not inconsistent with law, governing the disposal of excreta in coal mines, examine into and advise with the chief of department of mines as to the ventilation of coal mines and how to treat promptly accidents resulting from poisonous gases. Nothing herein contained shall be construed to give the State department of health the power to regulate or interfere with the drainage from any mine or manufacturing plant unless the drainage from said mine or manufacturing plant shall contain disease-producing bacteria in sufficient numbers to endanger health. The State department of health is empowered to establish and strictly maintain quarantine at such places as it may deem proper, and may adopt rules and regulations to obstruct and prevent the introduction or spread of smallpox or other contagious or infectious diseases into or within the State, and shall have the power to enforce these regulations by detention and arrest, if necessary. It shall have power to enter into any town, city, factory, railroad, train, steamboat, or other place whatsoever and enter upon and inspect private property for the purpose of investigating the sanitary and hygienic conditions and the presence of cases of contagious and infectious diseases, and may, at its discretion, take charge of any epidemic or endemic conditions and enforce such regulations as it may prescribe. All expenses for guards or other expenses incurred in controlling any endemic or epidemic conditions shall be paid by the county or municipality in which such epidemic occurs.

The State department of health shall provide at its discretion vaccine lymph, diphtheria antitoxin, tetanus antitoxin, and other forms of serum or vaccine preventives of disease that it may deem necessary and distribute the same free of charge to county and municipal health officers, to be used for the benefit of the poor and indigent,

and in other cases where it may be urgently necessary to check contagions and control epidemics.

SEC. 8. The commissioner of health shall inquire into and investigate all nuisances affecting the public health in any county, city, or village in the State, and is authorized and empowered to apply to the judges or to any judge of the circuit court for the county in which such nuisance shall exist, in term or vacation, for an injunction forthwith to restrain, prevent, or abate such nuisances.

SEC. 9. When in the opinion of the public health council any local health authority shall fail or refuse to enforce necessary laws and regulations to prevent and control the spread of contagious or infectious disease declared to be dangerous to the public health, or when, in the opinion of the said council, a public-health emergency exists, the commissioner of health may enforce the rules and regulations of the State department of health within the territorial jurisdiction of such local health authorities, and for that purpose shall have and may exercise all the powers given by statutes to local health authorities; all expenses so incurred to be a charge against the counties, cities, or towns, concerned. And in such cases the failure or refusal of any local health officer or local health body to carry out the lawful orders and regulations of the public health council shall be sufficient cause for the removal of such local health officer or local health body from office; and upon such removal the proper county or municipal authorities shall at once nominate a successor other than the person removed as now provided by law.

SEC. 10. The public health council shall make regulations to provide clean and safe milk and fresh milk products and when promulgated these regulations shall be the minimum requirements to be enforced by local health authorities throughout the State.

SEC. 11. The State department of health shall have the advisory medical supervision of the State tuberculosis sanitarium, and the State board of control shall have the control of the business and fiscal affairs thereof. The director of the division of preventable diseases, under the supervision of the commissioner of health, shall encourage measures for the suppression of tuberculosis, such as clinics, camps, open-air schools, sanatoria, district nursing, antituberculosis societies, diffusion of knowledge, and other means.

SEC. 12. The public health council, consisting of the commissioner of health and six other members as specified in section 3 of this act, shall, in addition to the duties hereinbefore or hereinafter specified, examine all applicants for license for the practice of medicine and surgery in this State and issue certificates of license to all applicants who are legally entitled to receive same; and said certificates of license shall be signed by the president of the council and by the commissioner of health as secretary thereof. The examination of applicants and the issuing of certificates of license thereto shall be governed by sections 9, 10, and 11 of chapter 150 of the code of West Virginia, and the words "State board of health," wherever used in said sections, shall mean public health council as established by this act. The term "practice of medicine and surgery" as used by this act shall be construed to be treatment of any human ailment or infirmity by any method. To open an office for such purpose or to announce to the public in any way a readiness to treat the sick or afflicted shall be deemed to engage in the practice of medicine and surgery within the meaning of this act: *Provided*, This clause shall not apply, however, to regularly registered optometrists.

SEC. 13. The commissioner of health may, with the advice of the public health council, establish branches of the hygienic laboratory at such points within the State as he may deem necessary in the interest of the public health to insure prompt bacteriologic examinations, and for said purpose may expend annually a sum not in excess of \$1,000. The right of appeal from any order of the public health council or

any of its officers or agents shall lie to the circuit court of the county where the property rights or personal liberties have been affected, and the right of appeal shall be limited to 30 days from the time a general order is entered.

Any two or more counties may combine to cooperate with the State department of health, either by special vote or by vote of their respective boards of health, and participate in the employment of trained health officers and other agents or in the installation and maintenance of a common laboratory and other equipment. Whenever such counties shall decide to so cooperate and shall appropriate a sum or sums of money for such joint or cooperative action, a sum equal to two-fifths of the total amount contributed by the cooperating counties shall be added thereto from the appropriation made for the State department of health: *Provided*, That the general place of cooperation as well as the principal health officer, executive agent, or laboratory director employed by such counties shall first have been approved by the public health council: *And provided further*, That no sum so paid to any group of counties shall exceed \$500 in any one year, and provided such cooperation by the State department of health shall be limited to not more than \$3,000 annually.

[This law went into effect on May 16, 1915.]

**Common Towels—Use of, in Schools Prohibited. (Reg. Public Health Council, July 23, 1915.)**

No common towel shall be used in any public school in the State after October 1, 1915. Paper towels are recommended, but pupils may be permitted to use their own private towels.

**Hotels, Restaurants, and Eating Places—Sanitary Regulation. (Reg. Bd. of H., June 18, 1915.)**

No. 1. All doors, windows, back porches, where same exists, air passages or openings in hotels and restaurants, lunch wagons or lunch counters in this State, shall be properly screened from the 1st day of April to the 15th day of November in each year.

No. 2. All cooked or prepared food on display shall be kept covered at all times by glass covers or kept in glass cases to prevent contamination by handling or flies.

No. 3. All garbage or other matter discarded from kitchens shall be kept in metallic garbage cans, which shall be kept clean and always effectually covered to prevent flies from getting in the cans.

No. 4. It shall be the duty of every person or persons [sic] conducting a hotel, restaurant, eating house, or lunch wagon, to keep the premises clean and sanitary, and all floors to be scrubbed sufficiently often to keep them in sanitary condition, and they shall exterminate all ants, roaches, and other insects, and keep premises free from same. They shall also keep all food where rats and mice can not get to it.

No. 5. All water-closets shall be disinfected each week or more frequently if necessary, to prevent obnoxious odors or effluvia arising therefrom. A simple and inexpensive solution can be prepared by adding one pound of copperas to one gallon of water, to be used freely in sinks, water-closets, and vaults.

No. 6. Serving tables, trucks, trays, boxes, buckets, knives, saws, cleavers, and all other utensils and machinery used in handling, moving, cutting, chopping, mixing, or serving food are required to be sterilized through cleansing daily by boiling water or steam, and the clothing and hands of cooks, stewards, and waiters must be clean and sanitary.

No. 7. No person, firm, or corporation engaged in conducting a hotel or restaurant shall knowingly have in his employ any person who has an infectious, contagious, or communicable disease.

**Domestic Animals—Communicable Diseases—Notification of Cases—Prevention and Control. (Act Feb. 25, 1915.)**

SECTION 1. (a) The words "domestic animal," as used in this act, shall mean any equine animal or bovine animal, sheep, goat, pig, dog, cat, or poultry, and shall be taken to include the singular or plural as may be necessary in any given case.

(b) The word "owner," as used in this act, shall mean any person owning any domestic animal, or leasing any domestic animal from another, or any person who allows a domestic animal habitually to remain about the premises inhabited by such person.

(c) The word "person," as used in this act, shall mean any person, copartnership, association, or corporation, and shall be taken to include the singular or plural as may be necessary in any given case.

(d) The word "premises," as used in this act, is to be taken in its widest sense, and is to include land, any structure erected on land, and any vehicle or vessel used in transporting passengers, goods, or animals by land or by water.

SEC. 2. It shall be the duty of the commissioner of agriculture, hereinafter known as the "commissioner," to prevent, suppress, control, and eradicate, so far as possible, any transmissible diseases of such animals or poultry; to issue circulars or bulletins for public distribution giving information on the prevalence and control of diseases and their treatment and such other information as would be of value to the stock industry of the State; and to enforce the laws of the State relating to diseases of animals and poultry, and the manufacture, preparation, storage, sale, and offering for sale of the food and food products derived from diseased animals and poultry. Whenever and wherever deemed necessary to prevent the spread of diseases the commissioner may regulate and prohibit the importation into this State of animals or poultry; may cause general or special quarantine of premises and animals and poultry to be established and maintained; may cause the disinfection of any premises; may cause the destruction of animals and poultry and personal property, and may regulate and prohibit the moving or transportation of animals and poultry from one place to another in this State. The commissioner may also cause such investigations to be conducted as may seem advisable regarding the causes, and the methods of preventing, controlling, and eradicating diseases thereof.

SEC. 3. The commissioner may employ such competent and experienced veterinarians as may be necessary from time to time to assist him in discharging the duties imposed upon him by this act; such veterinarians shall be graduates of veterinary colleges recognized by the American Veterinarian Medical Association, and to be hereafter known as consulting veterinarians. The commissioner shall have general charge of the enforcement of the provisions of this act, and shall collect and disseminate information and statistics in relation to the diseases of domestic animals, the proper care and sanitation of stables and other buildings used for stabling of farm animals for the purpose of preventing the existence and spread of infectious and contagious diseases. For any services rendered under the provisions of this act, the consulting veterinarians shall receive a per diem of \$5 per day and actual expenses while engaged in carrying out the directions of the commissioner, which expenses shall be paid out of the current appropriation made for the enforcement of this act.

SEC. 4. Whenever any incorporated city of this State shall have in its employ any veterinary sanitary officer engaged in the inspection of meat, milk, or animals, and the qualifications of such officer are equal to those in this act providing for consulting veterinarians, then the commissioner may appoint such city veterinary sanitary officer a consulting veterinarian, but such officer shall not be entitled to claim compensation or expenses from both the State and the city for the same services, and his appointment at any time shall be revocable by the commissioner.

The commissioner shall have the authority to appoint, at different points in this State, veterinarians whose qualifications are equal to the requirements for consulting veterinarians, to examine any of the animals enumerated in this act that are to be moved to States where the sanitary laws require such examination, and provided the owners request such inspection. It shall also be the duty of said commissioner to specify and regulate the fees charged for such examination, and to remove such veterinarian whenever he may see fit: *Provided*, That no inspector herein provided for shall make any charge against the State for such service as he may render.

SEC. 5. In the enforcement of this act and the rules and regulations adopted by the commissioner, he and his employees and the consulting veterinarians may enter any premises, public or private, where they have reason to believe that diseased animals or poultry may be or may have been confined or kept in or on such premises.

Said commissioner, the consulting veterinarians, and their duly appointed and authorized assistants or employees, in the performance of their duties under this act, shall have power to call on sheriffs and their deputies, constables and police officers, mayors of cities, city and town sergeants and policemen to assist them in carrying out its provisions; and it is hereby made the duty of all such officers to assist in carrying out the provisions of this act when ordered so to do; and said commissioner and the consulting veterinarians shall have, while engaged in carrying out the provisions of this act, the same powers and protection that other peace officers have, and any such officer who fails or refuses to enforce the lawful orders and quarantine of said commissioner or any veterinarian acting under him, in the proper execution of the powers conferred by this act, shall be guilty of a misdemeanor and be punished upon conviction thereof by a fine of not less than \$25 nor more than \$200.

SEC. 6. It shall be the duty of every practitioner of veterinary medicine in West Virginia, immediately upon receiving information thereof, to report to the commissioner each case of any of the following diseases, namely: Glanders, anthrax, blackleg or black quarter; contagious pleuropneumonia or lung plague of cattle; rinderpest or cattle plague; hemorrhagic septicemia; foot and mouth disease, or aphthous fever of cattle; southern cattle fever or Texas fever, John disease; contagious abortion; sheep scab, mange of cattle or horses; hog cholera or swine plague; fowl cholera, avian tuberculosis; rabies or hydrophobia; *maladie du coit*, or dourine, of horses; advanced or generalized tuberculosis or tuberculosis of the udder; or any other disease now or hereafter proclaimed by the commissioner to be of a transmissible character, or any domestic animal reacting to tuberculin or mallein test. This report shall be in writing and shall include a description of each animal affected, with the name and exact address of the owner or person in charge of the animal, and the exact locality of the animal, and the number of susceptible domestic animals that have been exposed to the disease. It is hereby made the duty of every person who has upon his premises or in his possession any domestic animal which is, or which he has good reasons to suspect may be, affected with infectious, contagious, or communicable disease immediately to report the same to the commissioner. If any person or veterinarian knowingly fail to report such a case, or willfully or maliciously interferes with or obstructs the commissioner or consulting veterinarians in the performance of their official duties under this act, or attempts to conceal the existence of such disease, shall be guilty of a misdemeanor.

SEC. 7. It shall be unlawful for any person, or their agents or employees to knowingly drive, cause to be driven, bring or cause to be brought in any manner whatsoever, into this State any domestic animal affected with any contagious, infectious, or communicable disease. All domestic animals being brought into the State for any purpose, by any means of transportation, shall be subject to the following restrictions: Unless such animal is accompanied by a certificate of good health issued by the State veterinarian or other accredited authority of the State from which such animal originates, or the certificate of a veterinary inspector of the Bureau of Animal Industry of the United States Department of Agriculture, setting forth that such

animal is free from all contagious, infectious, or communicable diseases and does not originate from a district of quarantine or infection, such certificate showing inspection to have been made within a period of 30 days prior to the arrival of such animal, certificate to be made in triplicate, the original to be retained by the owner or person in charge of such animal, and by him attached to the bill of lading accompanying shipment of the animals, duplicate will be forwarded to the commissioner, and triplicate to be retained by the veterinarian making the inspection. It shall be the duty of the owner or owners of such animal which is to enter the State without a certificate of health to notify the commissioner, and such notice shall state when, where, and how the animal is to be brought into this State, and must reach the commissioner before the animal arrives at the point of destination. Any animal entering the State without such a certificate of health may be placed in quarantine by the commissioner under such rules and regulations as the commissioner may approve, and held therein at the expense of the owner, and if such animal is found affected with any contagious, infectious, or communicable disease, shall, at the option of the owner, be killed, without compensation to the owner, or continued in quarantine at the expense of the owner.

It shall be unlawful to remove any such domestic animal from quarantine unless it shall have passed a satisfactory examination, and the tuberculin test in the case of bovine animals for dairy and breeding purposes and unless the charges for the quarters, feed, water, and attendance have been paid to the person entitled thereto, the expenses incurred in providing such animal or animals with proper quarters, food, and water may be recovered by the commissioner from the owner by an action at law as other debts are by law collectible. When notified by an officer or agent of the commissioner not to do so, it shall be unlawful for any person to receive or keep, or have in his keeping or possession, any domestic animal imported or brought into this State in violation of any of the provisions of this act, or to allow any such domestic animal to come into contact with any other domestic animal: *Provided, however,* That this provision shall not apply to the importation of goats, dogs, cats, or poultry at any other time than during an epidemic of any of the diseases mentioned in section 6 thereof. And whenever the commissioner shall consider the importation of goats, dogs, cats, and poultry unsafe on account of the prevalence of such diseases in any other State of the Union, he may prohibit entirely or restrict such importations in such manner as he may deem necessary, and after the publication of his proclamation thereof, all of the provisions and penalties of this section and this act shall have full force and effect.

SEC. 8. No domestic animal that has been used or is to be used for dairy or breeding purposes shall be imported or brought into this State except subject to the following regulations: There shall be provided for each bovine animal over six months old a health certificate and a tuberculin test chart, each in triplicate, from a veterinary inspector of the United States Bureau of Animal Industry, or from the State veterinarian, or duly authorized and officially certified veterinarian of the State from whence the animal has been transported or moved. The original of the certificate and of the chart shall be attached to the waybill, when the animal shall be brought into the State by common carrier, and the duplicate sent so as to reach the office of the commissioner before the animal reaches the point of destination, and the triplicate shall be retained by the veterinarian issuing the certificate. If the animal shall be brought into the State other than by common carrier the office of the commissioner shall be notified before such animal shall be brought in. The original certificate and the chart shall be in the possession of the person who shall bring such animal into the State, and shall be surrendered to any officer or agent of the commissioner on demand. The duplicates thereof shall be sent to the commissioner as aforesaid. Such notice to the commissioner shall state when and where and how the animal is to be brought into the State. Such certificates and charts shall show that the animal is free from Texas fever ticks

and all transmissible diseases. The chart must show that an approved preparation of tuberculin has been used, and that the examination and tuberculin test have been carried out in a manner approved by the commissioner: *Provided, however,* That from herds which are recorded and certified as free from tuberculosis either by the State veterinarian or other accredited authority of such States as the commissioner may see fit to recognize for this purpose, or may be so recorded and certified by the United States Bureau of Animal Industry, animals may be permitted to enter the State upon such herd certificate in lieu of the tuberculin test chart hereinbefore required.

This section and section 7 of this act shall not apply to animals brought into the State for immediate slaughter, or to animals brought into the State for temporary exhibition purposes only, after a permit for each animal for exhibition purposes shall have been obtained from the commissioner who shall prescribe such conditions for the issuance and duration of such permits as to him may seem proper.

No apparently healthy bull or heifer under six months of age shall be subject to tuberculin test.

If the commissioner shall suspect the genuineness of any health certificate or tuberculin test chart relating to imported animals, or shall question the competency of the person of the State of export who shall have issued such chart or certificate, he may decline to accept the same; and may refuse to permit the importation of the animals concerned, unless a certificate and chart be furnished from the proper inspector of the Bureau of Animal Industry of the United States, or unless the said commissioner shall otherwise determine. It shall be unlawful for any person to sell for dairy or breeding purposes any domestic animals brought into the State for immediate slaughter, or to use or permit to be used any such animal for dairy or breeding purposes.

SEC. 9. Any bovine animal, not accompanied by the health certificate and tuberculin test chart required by section 8 of this act, may be brought into this State only under the direct supervision of an officer, or agent of the commissioner, subject to the provisions of section 7 of this act and to the following regulations:

Each animal shall be held in close quarantine at such place under such conditions and during such time as may be prescribed by the commissioners and during the period of such quarantine shall be submitted to a physical examination and tuberculin test by an agent of the commissioner. The examination and test shall be at the expense of the owner. During the continuance of such quarantine the animal shall be provided with proper quarters, food, and water by the owner or at his expense.

SEC. 10. Whenever any of the diseases enumerated in section 6 of this act, or any other disease of domestic animals or poultry now or hereafter adjudged and proclaimed by the commissioner to be of a transmissible character, shall exist anywhere in the State, a quarantine of any locality or premises, or of any infected or exposed animals or poultry, may be established. Quarantine shall be of two kinds, special and general.

A special quarantine shall mean a quarantine of a single animal; or a quarantine of a single building, structure, pen, coop, car, vessel, vehicle, field, or inclosure; or a quarantine of any number of animals or poultry when confined or contained in the same building, structure, pen, coop, car, vessel, vehicle, field, or inclosure.

A general quarantine shall include all quarantines not included under the term special quarantine as herein defined.

A special quarantine may be established and maintained whenever any domestic animal or poultry shall be affected with or exposed to any of the diseases enumerated in section 6 of this act, or any other disease of domestic animals or poultry now or hereafter adjudged and proclaimed by the commissioner to be of a transmissible character, or there shall be any animal or poultry which it is deemed necessary by the commissioner to have examined or tested. The commissioner or his authorized agent shall have the power to establish and maintain any special quarantine. It shall be the duty of the commissioner, or his agent establishing a special quarantine, to post on the building, structure, pen, coop, car, vessel, vehicle, field, or inclosure wherein



the animal or animals or poultry quarantined are confined or contained, a notice declaring the quarantine, a description of the animal or animals or poultry quarantined, and of the premises where quarantined, and of the duration of such quarantine. Such quarantine may continue for such time as the commissioner, the State veterinarian, or his agent establishing the same may deem advisable to accomplish the purpose of quarantine.

A general quarantine may be established and maintained whenever any of the diseases enumerated in section 6 of this act, or any other disease of domestic animals or poultry now or hereafter adjudged or proclaimed by the commissioner to be of a transmissible character, shall exist in any locality in the State larger in extent than that which may be included in a special quarantine. A general quarantine shall be established and maintained by the commissioner only. Such quarantine shall include such premises, locality or territorial district, and such animals, and shall continue for such time as may be deemed necessary or advisable by the said commissioner. In establishing and maintaining such quarantine the said commissioner may act through and by an officer, or agent employed by him to whom such power is delegated; and the establishment and maintenance of such quarantine by any officer, agent, or employee of said commissioner shall be prima facie the establishment and maintenance of quarantine by said commissioner. Whenever any premises or any locality or territorial district shall be placed in or under quarantine by said commissioner, it shall be the duty of the officer, agent, or employee of said commissioner, by whom the order of the commissioner as to quarantine is executed, to post notices within the premises, locality, or territorial district quarantined, declaring the extent and limits of premises, locality, or territorial district so quarantined, and the animals subject to such quarantine. At least 10 such notices shall be posted in the most public places within said quarantined area. A copy of such notice shall be published in one newspaper published within such quarantined area; or if there be no such newspaper, then in one newspaper circulating generally within such area. If the quarantine shall be for the purpose of preventing the spread of rabies or hydrophobia, and, if in the judgment of the commissioner, in the case of other infectious, contagious or otherwise communicable diseases, such action is necessary, the notice shall contain a warning to the owners of dogs within the quarantined area to confine closely all such dogs.

SEC. 11. After the establishment of any quarantine authorized by this act, and the posting of notices required by law, it shall be unlawful for any person, without a special permit in writing from the commissioner to remove from or to any premises within the limits of the quarantine any domestic animal or poultry; or to remove from any quarantined area or premises any hay, straw, grain, fodder, or other food, or animals or poultry, or to remove any car or wagon or vessel so quarantined; or to sell or exchange or give away or lease or lend or remove, or allow to be removed, any quarantined domestic animal or animals or poultry. It shall be unlawful after notice as aforesaid for the owner of any dog to permit such dog to run at large in any such quarantined locality, or for any person to remove or permit to be removed any dog from such quarantined area. Any dog found running at large in such quarantined area or known to have been removed from or to have escaped from such area, as aforesaid, may be secured and confined, or may be shot or otherwise destroyed by any person without liability therefor.

SEC. 12. It shall be unlawful for any person to tear down or deface or to destroy any notice or quarantine posted by any officer, agent, or employee of the commissioner, or to remove or destroy, wholly or partially, any portion of a building or tree or fence whereon the same shall have been posted.

SEC. 13. When any quarantine shall be established under this act, it shall be unlawful for the owner of any domestic animal within the limits of the quarantine area to allow such domestic animal to run at large during the continuance of the quarantine. Any animal so found running at large shall be taken up by the proper constable and

kept at the expense of the owner until the lifting of the quarantine. For such service he shall be entitled to \$1 for each animal. Each animal shall be kept until such fee and all cost of keeping such animal shall have been paid. If not paid within two weeks from the lifting of the quarantine, the animal may be sold, and after the deduction of all fees, costs, and expenses, the residue shall be paid to the owner, if known, and if not known shall be paid into the State treasury. This section shall not apply to dogs or affect the special provisions of this act in reference to dogs.

Sec. 14. Animals that shall be placed in quarantine by authority of the commissioner or his agents, shall be provided with suitable quarters and fed and watered by or at the expense of the owner. In default of payment by such owner of the expense of providing suitable quarters and of feeding and watering any of such animals within 10 days after the lifting of said quarantine, the commissioner may sell or cause to be sold any such animal, at public sale, to collect such expense. Any surplus received at said sale, over the expense aforesaid, shall be paid to such owner. No animal shall be removed from a quarantined area until such sale, except upon payment of such expense.

Sec. 15. Whenever it shall be required to destroy or dispose of the carcass of any animal to prevent the spread of disease such destruction or disposal shall be made by one of the following methods:

First. Complete cremation of the entire carcass with all its parts and products.

Second. Boiling the carcass and all its parts and products in water or heating the same with steam at the temperature of boiling water, continuously during at least two hours.

Third. Burial of the carcass and all its parts and products in such place that shall not be subjected to overflow from ponds or streams, and which shall be distant not less than 100 feet from any watercourse, well, or spring, public highway, house, or stable. In burying such carcass it shall be covered with quicklime to a depth of not less than 3 inches, and the top of such carcass shall not be within 2 feet of the surface of the ground when such grave is filled and smoothed to the level of the surrounding surface. Such grave shall be so protected that the carcass may not be accessible to dogs or other animals.

Whenever any animal affected with any of the diseases enumerated in section 6 of this act or with any disease now or hereafter adjudged and proclaimed by the commissioner to be of a transmissible character shall die or be killed, it shall be the duty of the owner of such animal at once to destroy or dispose of the carcass of such animal in the manner provided in this section. It shall be unlawful to sell any such carcass or any part thereof or any hide or offal therefrom: *Provided, however,* That if the owner of such animal shall not within 24 hours dispose of the carcass as provided by law it shall be the duty of the commissioner or his agent to cause the same to be destroyed or disposed of according to law at the cost of such owner. The expense of such destruction or disposal may be collected from such owner as debts of like amount are by law collectible.

Sec. 16. It shall be unlawful for any person to knowingly drive or move or transport on or across or along any public highway or in wagons or railroad cars or other vehicles any animal affected with any disease enumerated in section 6 of this act, or with any disease now or hereafter adjudged and proclaimed by the commissioner to be of a transmissible character, except upon express permission in writing from the commissioner or his agents.

Sec. 17. The commissioner or his agents or the inspectors of the United States Bureau of Animal Industry shall possess authority to test with tuberculin any bovine animal kept within this State, subject to such rules and regulations as the commissioner may prescribe. The tuberculin test shall be applied to bovine animals at such times as may be designated by the commissioner as may be necessary in the control and eradication of bovine tuberculosis in this State, and all cows whose milk is sold

for human consumption or manufacture and all uncastrated beef animals shall be tested with tuberculin in so far as may be possible. When any such bovine animal is found by the officer making the test to give what the commissioner shall have prescribed by his rules and regulations to be a clearly defined reaction to such test, the said animal shall be considered to be affected with bovine tuberculosis, and shall be marked or branded upon the right side of the neck from 6 to 10 inches back from the jawbone with a capital "T" not less than 2 inches high, 1½ inches wide, with mark one-fourth of an inch wide, unless the owner elects as hereinafter provided to keep the animal in quarantine for eight weeks, when the animal shall be again tested by the commissioner or his agent at the expense of the owner, and if the animal again gives a clearly defined reaction it shall be branded. Any bovine animal affected with advanced or generalized tuberculosis or tuberculosis of the udder may be similarly branded, and such branding shall not be construed as cruelty to animals within the meaning of the penal laws of this State. If such a reacting animal be pure bred and registered or eligible to registry, and the owner of such reacting animal shall desire to keep it, such option is allowed, provided the animal does not, in the judgment of the officer making the examination and test, show evidence of physical breakdown, then or at any time thereafter, probably due to the disease, and it shall then be the duty of the commissioner or his agents to place such animal in quarantine, and the owner or owners thereof, their agents, or employees shall maintain the said animal in quarantine as prescribed by the commissioner or his agents and the product or products of such reacting animal shall only be disposed of under such restrictions as the commissioner shall designate.

Except as hereinbefore provided all bovine animals within this State which are deemed tuberculous, either as a result of physical examination or the tuberculin test, shall be slaughtered within a time and at a place designated by the commissioner or his agent, and if the owner of any such tuberculous animal shall desire to receive indemnity therefor he shall be required by the commissioner before the appraisal and slaughter of the animal to execute an agreement that he will thoroughly clean and disinfect all premises that may have been infected by such tuberculous animal in such a manner as the commissioner may prescribe; will have his entire herd of bovine animals tested with tuberculin by the commissioner or his agent at such times as the commissioner may designate, and will not admit to his herd any bovine animal that has not given a negative reaction to the tuberculin test. Such an agreement shall be in duplicate, one copy to be retained by the signer, and in such form as the commissioner shall designate, and shall be signed by the owner or owners or their agents, and shall be in effect for a period of two years from the date thereof. All such tuberculous animals shall be appraised before being slaughtered, the owners to be indemnified as hereinafter provided.

The commissioner or his agent shall act as appraiser and shall appraise each tuberculous animal within five days prior to the date of slaughter, basing the amount upon the class and market value of the animal at the time of appraisal, whether for breeding purposes or whether for milk or meat production. Animals reacting to the tuberculin test but not exhibiting any physical evidence of tuberculosis shall be appraised without considering the presence of a diseased condition, but animals exhibiting any physical evidence of tuberculosis shall be appraised as diseased animals. The amount of appraisal shall not exceed the sum of \$75 for a pure-bred registered animal or the sum of \$50 for a grade or nonregistered animal. If the amount of appraisal of any animal, as determined by the appraiser designated, is not satisfactory to the owner of such animal, a written notice of such fact, setting forth the reasons for complaint, shall be made to the appraiser at once. The amount of the appraisal shall then be determined by arbitrators, one to be appointed by the appraiser and one by the owner of the animal. If said arbitrators are not able to agree as to the amount of appraisal, a third arbitrator shall be appointed by them, whose decision shall be final. Arbitrators

shall be paid \$1 for each appraisal of five or less than five animals and \$2 if more than five animals are appraised. Compensation for the arbitrator appointed by the owner and the third arbitrator, if appointed, shall be paid by the commissioner if the decision made is against the arbitrator appointed by the veterinarian, but if the decision is in favor of such arbitrator the owner shall pay the compensation of the arbitrator appointed by him and the third arbitrator, if appointed.

After such agreement has been executed and appraisal has been made it shall be the duty of the commissioner or his agent to see that the animal is slaughtered and the carcass disposed of in accordance with the meat-inspection regulations of the United States Bureau of Animal Industry, or in such manner as the commissioner shall prescribe. When the animal is to be slaughtered, as herein provided, the commissioner or his agent shall make and deliver to the owner a certificate which may cover any number of animals belonging to the same owner, showing the age and description of each animal found to be tuberculous, the name and place of test, the mark or brand as tuberculous and any other mark or brand which the animal may bear, the date when and the place to which the animal was sent for slaughter by the veterinarian; the designation of the officer who is to supervise the slaughter, the appraised value of said animal or animals, the name and address of the owner of the animal and the fact that he has executed the agreement hereinbefore provided for. The officer supervising the slaughter shall, immediately after the same, indorse upon or add to the foregoing certificate that he has witnessed the slaughter of each of said animals, the place and date thereof, that the number, age, description, and brand or mark corresponding to those given in the certificate of the officer who made the former certificate and shall state the result of his post-mortem examination, the disposition made of the carcass, and the price received for the same by the veterinarian. The slaughter may be supervised and certificate thereof may be made by the commissioner or any of his agents, or any person possessing the authority of an agent, or any officer of the United States Bureau of Animal Industry. The commissioner may require such other particulars to be added to either of said certificates or the affidavit hereinafter required, and may make and enforce such rules and regulations governing the handling, shipping, and slaughter of such animals as may be deemed necessary.

The owners of such animals shall be indemnified in such amount as shall be determined by the results of post-mortem inspection by the officer supervising the slaughter according to the following rules:

**RULE 1.** If any animal is found, upon post-mortem inspection, not to be affected with tuberculosis, the carcass and other edible portions shall be passed as food, and the veterinarian shall sell the same, including all accompanying parts, for the best price obtainable, which price shall be paid to the owner and deducted from the amount of appraisal, and the balance, if any, thus remaining, shall be paid the owner.

**RULE 2.** If any animal is found, upon post-mortem inspection, to be affected with tuberculosis, and the lesions are such that the carcass and parts of the carcass are passed for food, the veterinarian shall sell the same, including all accompanying parts, for the best price obtainable, which price shall be paid to the owner and deducted from 80 per centum of the amount of the appraisal, and the balance, if any, thus remaining shall be paid the owner.

**RULE 3.** If any animal, upon post-mortem inspection, is condemned for offal, the veterinarian shall sell the hide and offal for the best price obtainable, which price shall be paid to the owner and deducted from 40 per centum of the amount of appraisal, and the balance, if any, thus remaining shall be paid the owner.

After such tuberculous animals shall have been slaughtered as herein provided for, the veterinarian shall, as soon as possible, forward to the commissioner, who shall, if found to be correct, approve the same and within 30 days file with the county court of the county in which said animals were owned at the time they were condemned as tuberculous, as herein provided, the foregoing certificates, together with the owner's

claim for indemnity, and his affidavit that he has thoroughly cleaned and disinfected his premises and complied with all the regulations of the commissioner in respect thereto and in respect to the remainder of his herd. If the said county court, upon examination of the certificates filed as aforesaid and of the affidavit of the claimant and any evidence that may be presented, shall find the claim is regular and the facts therein set up are true, and that the claimant is entitled indemnity as herein provided, the county court shall make an order allowing the claimant one-half of the indemnity hereinbefore provided for, which shall be paid upon the order of the county court out of the general funds of the county. The commissioner shall at the end of the fiscal year issue his warrant upon the State auditor in favor of the claimant, for the remaining one-half of the indemnity allowed, which shall be paid out of any moneys appropriated for carrying out the provisions of this act: *Provided*, That at the end of each fiscal year the claimants for such certificates of value shall be paid the same from the current appropriations made for that purpose: *Provided further*, That the amount to be paid on such certificates in any one year shall not exceed the amount appropriated for such purpose, which amount shall be paid pro rata at the end of each fiscal year: *Provided further, however*, That the right to indemnify shall not exist nor shall payment be made in either of the following cases:

1. For animals owned by the United States, this State or any county, city, town, or village in this State.

2. For animals brought into this State contrary to the provisions of this act, or where the owner of the animal or person claiming compensation has failed to comply with the provisions of the same.

3. When the owner or claimant at the time of coming into possession of the animal knew or had reason to believe it to be afflicted with a dangerous or contagious disease.

4. When the owner shall have been guilty of negligence or had carelessly exposed such animals to the influence of contagious or infectious disease.

SEC. 18. Whenever, to prevent the spread of any disease mentioned in section 6 of this act, it shall be deemed necessary by the commissioner or any of his agents to cause any domestic animal to be killed, and the owner thereof shall desire to receive indemnity therefor, the owner thereof shall be required to execute an agreement with the commissioner or his agent that he will thoroughly clean and disinfect all premises that may have been infected by such diseased animal in such manner as the commissioner or his agent may prescribe. Such an agreement shall be in duplicate, one copy to be retained by the signer and in such form as the commissioner may designate, and shall be signed by the owner or owners or their agents, and shall be in force for a period of two years from the date thereof. The commissioner or any agent so authorized shall act as appraiser and shall appraise each such diseased animal within five days prior to its slaughter, basing the amount upon the market value of the animal at the time of appraisal. Animals reacting to any approved test for a disease but otherwise apparently healthy shall be appraised without considering the presence of a diseased condition, but animals exhibiting any physical evidence of disease shall be appraised as diseased animals, taking into consideration the condition of the animal as to disease, and the nature and extent of the disease, and its present and probable effect on the animal, and having regard to the probable sums to be derived from the sale of the carcass, hide, and offal.

The amount of appraisal shall in no case exceed for a nonregistered equine animal the sum of \$75, for a registered equine animal the sum of \$100, for a nonregistered bovine animal \$50, for a registered bovine animal \$75; for a sheep or pig the sum of \$10: *Provided, however*, That in case of an outbreak of foot-and-mouth disease, or any other dangerously contagious or infectious disease among bovine animals and on account of which disease, bovine animals are being destroyed by order of Federal authority and for which said bovine animals so destroyed, the Federal Government pays one-half the true and actual value according to the appraisement, that the State of West

Virginia pay one-half and only one-half the true and actual value as above stated. If the amount of appraisal of any animal as determined by the appraiser designated is not satisfactory to the owner of such animal, the appraisal may be made by arbitrators as provided in section 17 of this act. After such agreement has been executed and appraisal has been made, it shall be the duty of the commissioner or his agent to see that the animal is killed and the carcass disposed of in accordance with the provisions of this act and the rules of the commissioner. When the animal is to be killed the commissioner or his agent shall make and deliver to the owner a certificate which may cover any number of animals belonging to the same owner, showing the age and description of each animal, the appraised value of said animal or animals, the name and address of the owner of the animal and the fact that he has executed the agreement hereinbefore provided for. At the end of each fiscal year the holders of such certificates of value shall be paid two-thirds of the value of the same from the current appropriations made for carrying out the purposes of this act: *Provided*, That the amount paid on such certificates and those similarly provided for in section 17 of this act in any one year shall not exceed the appropriation made therefor, which amount shall be paid pro rata at the end of each fiscal year on an order signed by the commissioner. When any animal is so killed the owner subject to the regulations of the commissioner may dispose of the whole or any part of the carcass and of the hides and offal in such manner as may not tend to spread disease or affect the health of the public.

SEC. 19. Without express permission in writing from the commissioner, or his agent, it shall be unlawful for any person to sell or offer for sale, or to away, or to allow to stray, any animal affected with any disease enumerated in section 6 of this act, or with any disease now or hereafter adjudged and proclaimed by the United States Bureau of Animal Industry to be of a transmissible character, or any animal that has reacted to any tuberculin or mallein test, or with such permission to sell or offer for sale, or to give away, any such animal without notifying the purchaser or any prospective purchaser or the person to whom the animal shall be sold or given, that the animal is affected or has reacted as aforesaid, or that it has been in a herd affected with such a disease within one year, except when for immediate slaughter in accordance with the meat-inspection regulations of the United States Department of Agriculture; or to dispose of to another in any manner any animal that may be in quarantine until such time as the quarantine shall have been raised by the proper officer, or to dispose of the meat or milk of any animal that may be affected with such contagious, infectious, or communicable disease for use as food or for other purposes except in such manner as shall be provided by the commissioner: *Provided, however*, That nothing in this section shall be construed as interfering with the provisions of the State or National pure food or meat inspection laws except that the milk from tuberculous cows may be sold under such regulations for its sterilization before use as the commissioner may prescribe.

SEC. 20. The commissioner may prescribe methods of making tests with tuberculin, mallein, or other recognized tests for the diagnosis of diseases of animals.

SEC. 21. Each sale in this State of tuberculin for cattle, or of mallein for horses, jacks, or mules, and each injection or test made with tuberculin or mallein shall be reported in writing to the commissioner within one week after such sale or test. Each such report shall be signed by the person who shall have made the sale or test; and shall give the name of the purchaser of the tuberculin or mallein, with the amount sold, the date of sale, the name and address of the owner of the cattle or horses or mules or jacks tested, the locality where such test has been made, a description of the animal or animals tested, and a complete statement of the actual result of such test. It shall be unlawful for any person, whose duty it is hereby made to make such report, to fail or refuse to do so.

SEC. 22. It shall be unlawful for any person to manufacture for sale, or sell or offer for sale, any biological product intended for diagnostic or therapeutic purposes with animals unless such product is officially approved by the Bureau of Animal Industry of the United States.

SEC. 23. Milk produced by a cow which has reacted to a tuberculin test, or is affected with a dangerously transmissible disease, shall not be sold as food for human beings or other animals unless it has been previously heated to at least 178° F. or heated to 140° F. and held at that point for at least 20 minutes, except when a special examination has been made under the direction of the commissioner and written permission to use such milk has been given by him.

SEC. 24. Any person, firm, or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall for the first offense be sentenced to pay a fine of not more than \$100. For each subsequent offense such person, firm, or corporation shall be sentenced to pay a fine of not more than [sic] \$500, and in addition thereto such person or each of the members of the firm or each of the directors of the corporation, as the case may be, with guilty knowledge of the fact, may be sentenced to undergo imprisonment in the jail of the proper county for a period of not less than 10 nor more than 90 days, or either or both, at the discretion of the court.

SEC. 25. It shall be the duty of the prosecuting attorney in the county in which offenses are committed against the provisions of this act to prosecute the same upon information furnished by the commissioner or his agents.

SEC. 26. The commissioner shall be charged with the enforcement of this act and shall have the power to make all needful rules and regulations for the enforcement thereof and shall have authority to accept on the part of the State the laws, rules, and regulations of the United States Bureau of Animal Industry for the prevention, control, and eradication of contagious, infectious, or otherwise communicable diseases among domestic animals and poultry.

**Advertisements—Untrue, Deceptive, or Misleading, Prohibited. (Chap. 43, Act Feb. 25, 1915).**

SECTION 1. Any person, firm, corporation or association, or their agents or employees, who, with intent to sell or in anywise dispose of merchandise, securities, service, or anything offered by such person, firm, corporation or association, directly or indirectly, to the public for sale or distribution, or with intent to increase the consumption thereof, or to induce the public in any manner to enter into any obligation relating thereto, or to acquire title thereto, or an interest therein, causes, directly or indirectly, to be made, published, disseminated, circulated, or placed before the public, in this State, in a newspaper or other publication, or in the form of a book, notice, handbill, poster, bill, circular, pamphlet, or letter, or in any other way, an advertisement of any sort regarding merchandise, securities, service, or anything so offered to the public, which advertisement contains any assertion, representation, or statement of fact which is untrue and deceptive, knowing or having reason to believe that such assertion, representation, or statement is untrue or deceptive, shall be guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not less than \$10 nor more than \$100, and such violation, by an agent or employee, shall be deemed an offense as well as by the principal or employer, and they may be indicted for the same, either jointly or severally.

## WISCONSIN.

### **Communicable Diseases—Notification of Cases. (Chap. 67, Act May 7, 1915.)**

SECTION. 1. Section 1416-1 of the statutes is amended to read:

SEC. 1416-1. It shall be the duty of every physician to report to the department of health in every town, incorporated village, or city, in writing, within 24 hours, the full name, age, and address of every person treated, visited, or known by such physician to be suffering from any one of the infectious or contagious diseases following, to wit: Measles, smallpox, diphtheria (membranous croup), scarlet fever (scarlatina), typhoid fever, tuberculosis (of any organ), rubella (rötheln), chicken-pox, typhus fever, plague, erysipelas, Asiatic cholera, whooping cough, cerebrospinal meningitis, yellow fever, acute anterior poliomyelitis, trachoma, and ophthalmia neonatorum; and it shall be the duty of every person, owner, agent, manager, principal, or superintendent of any public or private institution or dispensary, hotel, boarding or lodging house, in any such town, incorporated village, or city, to make a report, in like manner and form, of any inmate, occupant, or boarder suffering from any of the said infectious or contagious diseases. It shall also be the duty of every physician to report by number all cases of syphilis and gonorrhea occurring in his practice to the State board of health at such time and in such manner as the State board of health may direct.

### **Communicable Diseases—Notification Blanks to be Furnished by State Board of Health Reports by Health Officers to State Board of Health. (Chap. 182, Act May 28, 1915.)**

SECTION 1. Section 1412m-2 of the statutes is amended to read:

SEC. 1412m-2. 1. All record books, quarantine cards, and other material needed to satisfactorily carry on the work of the board, except such as is furnished by the State board of health, shall be supplied by the local health officer and paid for at public expense, upon the order of the local board of health.

2. The blanks used by physicians and other persons reporting dangerous communicable diseases to the local health officers shall be furnished by the State board of health, and distributed by the local health officer in each district. These blanks shall be of the general form adopted and approved by the State and Territorial health authorities in conference with the United States Public Health Service.

3. Local health officers, or boards of health, shall, within seven days after the receipt by them of reports of cases of notifiable communicable diseases, and as much oftener as the State board of health may require, forward by mail to the State board of health the original written reports made by physicians and other persons, after having transcribed the information given in the respective reports in a book, or other form of record, for the permanent files of the local health office. On each report thus forwarded the local health officer shall state whether the case to which the report pertains was visited, or otherwise investigated, by a representative of the local health office, and whether measures were taken to prevent the spread of the disease or the occurrence of additional cases.

4. The local health officer, or board of health, shall, when an epidemic of any dangerous communicable disease occurs in the district, within 30 days after the epidemic has subsided, make a report to the State board of health of the number of cases occurring in the epidemic, the number of cases terminating fatally, the origin of the epidemic, and the means by which the disease was spread.



**Rabies—Prevention of—Killing of Dogs. (Chap. 512, Act Aug. 5, 1915.)**

Section 1619 of the statutes was amended to read:

Sec. 1619. 1. Any person may kill any dog that he knows is affected with a disease known as hydrophobia or that may suddenly assault him while he is peacefully walking or riding and while being out of the inclosure of its owner or keeper, \* \* \*.

**Wassermann Test and Chemical Examination of the Cerebrospinal Fluid—Free. (Chap. 307, Act June 23, 1915.)**

SECTION 1. There is added to the statutes a new section to read:

Sec. 561*7n*. The board of control is hereby authorized to make necessary arrangements with the laboratory of the psychiatric institute of Mendota for the giving of the Wassermann test to any person confined in any State or county institution, and of making such test for any practicing physician of this State who makes application therefor in behalf of any resident of this State, free of charge. Arrangements shall also be made with said institute for the making of chemical examinations of the cerebrospinal fluid for any practicing physician of this State free of charge.

**State Tuberculosis Sanatorium—Medical Examination of Applicants for Admission—Indigent Patients. (Chap. 429, Act July 20, 1915.)**

SECTION 1. Section 1421-6, subsections 1 and 2 of section 1421-8, and sections 1421-12 and 1421-13 of the statutes are amended to read:

Sec. 1421-6. The State board of control may appoint as medical examiner or examiners of said institution any reputable physician or physicians, who shall be a citizen or citizens of Wisconsin, and whose duty it shall be to examine all persons applying for admission to the sanatorium. The fee of the examining physician shall not exceed \$4 in any case, said amount to be paid by the applicant. If the applicant is unable to pay such fee, then such fee shall be charged against the county in which the patient has a legal settlement.

Sec. 1421-8. 1. All persons admitted as patients to the sanatorium shall pay to said institution the cost of their maintenance. The charges for any patient or patients may, however, be paid by any person or persons or society. The determination of such sum shall be made by the superintendent and the State board of control. Any person who is unable to pay the charges for his or her support may be admitted to said sanatorium after it has been determined by the examining physician and superintendent of the sanatorium that such person is suffering from pulmonary tuberculosis in the incipient or slightly advanced stage: *Provided, however,* That before such person shall be admitted to the sanatorium he or she shall file a statement with the judge of the probate court of the county within which he or she has a legal settlement, setting forth the fact that he or she is unable to pay the regular charges.

2. Said judge upon presentation of the report of the examining physician that said person is afflicted with pulmonary tuberculosis in the incipient or slightly advanced stage and a statement from the superintendent of the sanatorium that in his opinion the applicant is eligible and that he or she can be received, shall make an investigation, and if he finds that said applicant or his legal representatives are actually unable to pay such charges, shall approve in writing the application of such person: *Provided,* That such judge may in his discretion require the approval of chairman of the county board thereto, and in all cases the said judge shall notify the chairman of the county board of his action in such matters. Said judge shall immediately forward to the superintendent of the sanatorium a certificate in writing that said patient is unable to pay said charges, and that he or she has a legal settlement in the county in which such application has been so approved.

Sec. 1421-12. Any indigent person suffering from tuberculosis in the secondary or advanced stages who shall have been a resident of the State for at least one year shall

be received into the institution, within the limits of its capacity, as determined by the State board of control. Before such person shall be admitted he shall file a statement with the county judge of the county in which he has a legal settlement, setting forth the fact that he is unable to pay for his care and treatment. The county judge of the county in which such person has a legal settlement shall make a thorough investigation of the case, and if he finds that the applicant or his legal representatives are unable to pay for his care he shall approve in writing the application of such person. The judge shall immediately forward to the superintendent of the institution a statement in writing that such person is indigent and is suffering from tuberculosis in the secondary or advanced stages. Upon receipt of such certificate it shall be the duty of the superintendent of the institution to receive and care for such indigent person until the superintendent shall recommend his discharge or removal.

Sec. 1421-13. In all cases where indigent persons desire to be admitted into the institution, the county judge of the county in which such person has a legal settlement shall, before issuing an order for his admission, cause such person to be examined by a regularly licensed physician, who shall file a report with such judge, and if it is found by such judge from the report of such physician that such indigent person is suffering from tuberculosis in the secondary or advanced stages, the order for the admission of such person shall be issued.

**County Tuberculosis Sanatoriums—Establishment of—Admission of Patients—  
State Aid. (Chap. 544, Act Aug. 16, 1915.)**

SECTION 1. Subsection 1 of section 1421-9, sections 1421-12 and 1421-13, and subsection 1 of section 1421-14 and section 172-120 of the statutes are amended to read:

Sec. 1421-9. 1. The county board of supervisors of any county may, with the consent of the State board of control, purchase a site and establish or provide a building or shack for the treatment of persons suffering from tuberculosis. No building or shack shall be so constructed until after the site has been approved by the State board of control.

Sec. 1421-12. Any indigent person suffering from tuberculosis, who shall have been a resident of the State for at least one year, shall be received into the institution, within the limits of its capacity, as determined by the State board of control. Before such person shall be admitted he shall file a statement with the county judge of the county in which he resides setting forth the fact that he is unable to pay for his care and treatment. The county judge of the county in which such person resides shall make a thorough investigation of the case, and if he finds that the applicant or his legal representatives are unable to pay for his care he shall approve in writing the application of such person. The judge shall immediately forward to the superintendent of the institution a statement in writing that such person is indigent and is suffering from tuberculosis. Upon receipt of such certificate it shall be the duty of the superintendent of the institution to receive and care for such indigent person until the superintendent shall recommend his discharge or removal.

Sec. 1421-13. In all cases where indigent persons desire to be admitted into the institution the county judge of the county in which such person resides shall, before issuing an order for his admission, cause such person to be examined by a regularly licensed physician, who shall file a report with such judge, and if it is found by such judge from the report of such physician that such indigent person is suffering from tuberculosis the order for the admission of such person shall be issued.

Sec. 1421-14. 1. Any person not indigent suffering from tuberculosis, who shall have been a resident of the State not less than one year, may be received into any institution provided for by sections 1421-9 to 1421-16, inclusive, and cared for at a rate which shall not exceed the actual cost of maintenance therein: *Provided, That*

before such admission he shall furnish to the superintendent of the institution a certificate of a regularly licensed physician that he is suffering from tuberculosis.

SEC. 172-120. There is appropriated as State aid for tuberculosis in county institutions, to carry into effect the provisions of section 1421-14, not to exceed \$100,000 for the fiscal year ending June 30, 1916, and annually for each fiscal year thereafter not to exceed \$125,000, and such aid shall be apportioned among the various county institutions in proportion to the number of patients in each institution during the year ending on the 30th day of June: *Provided*, That there shall not be allowed more than \$5 a week per patient for the number of weeks any such patient shall be a resident of any such institution.

**District Tuberculosis Hospitals—Counties Authorized to Join in Establishing and Maintaining. (Chap. 227, Act June 10, 1915.)**

SECTION 1. There are added to the statutes eight new sections to read:

SEC. 1421-17. 1. The county boards of any county, not to exceed three, may form themselves into a joint board for the purpose of establishing and maintaining a district hospital for the care and treatment of persons suffering from tuberculosis in the advanced and slightly advanced stages. The county board of each county desiring to unite for such purpose may appoint three persons, and all persons so appointed shall constitute a joint committee to obtain a site and erect the necessary buildings thereon, and the powers and duties of such joint committee shall terminate when the buildings are erected and equipped and ready for occupancy.

2. In the selection and acquirement of such site the joint board shall have the same powers as the county board of supervisors. They may receive and hold in trust for the use and benefit of such institutions any grant or devise of land and any donation or bequest of money or other personal property that may be made for the establishment and support thereof.

SEC. 1421-18. Before such joint committee, proposing to erect such an institution, shall proceed to the construction of such an institution, it shall cause complete plans, drawings, and specifications for the buildings of such institution to be prepared and submitted to the State Board of Control of Wisconsin for its approval. No buildings shall be constructed until after the site has been approved by the State Board of Control of Wisconsin. After the plans, drawings, and specifications have been approved by the State Board of Control of Wisconsin, the joint committee may proceed with the construction of the buildings for such institution.

SEC. 1421-19. At the time or before the completion of such district hospital the joint boards shall elect a board of trustees to consist of one member from each county represented. The terms of such trustees shall be as follows: One for one year, one for two years, and where three counties are represented, one for three years, and annually thereafter the board of supervisors of any county in which the term of a trustee or trustees expires shall appoint such trustee or trustees for a term of as many years as there are counties represented and until his or their successors are elected and qualified. Any vacancy shall be filled by an election in like manner for the unexpired term of the original appointment. The board of supervisors of any county may remove any trustee for good and sufficient cause.

SEC. 1421-20. 1. Such trustees shall serve without compensation except that they shall receive their actual expenses incurred in the performance of their duties. The trustees shall appoint as superintendent of such institution a graduate trained nurse and also a visiting physician and fix their compensation. The trustees shall designate the number of employees of such institution and fix their compensation. The employees shall be selected by the superintendent, subject to the confirmation of the board of trustees. They shall appoint one of their members as president and the superintendent of the hospital may be the secretary of the board. The county treasurer of the county in which such institution is located shall be the treasurer of such

institution and shall receive all moneys paid for the maintenance of the inmates of such institution and shall disburse all moneys to be paid on account of such institution, such disbursement to be made upon the order of the trustees. The warrants for such disbursements to be drawn on the treasurer by the president and secretary.

2. Such institution shall be conducted under the rules and regulations made by the superintendent and approved by the board of trustees.

SEC. 1421-21. 1. The first cost of the tuberculosis hospital, including the cost of equipment and the cost of improvements and additions thereto, shall be paid by the counties comprising the district in proportion to the taxable property of each county as shown by their respective tax rolls.

2. The superintendent shall prepare a quarterly statement, which shall be approved by the board of trustees, showing the daily cost for the current expense of maintaining such hospital, including the cost of the ordinary repairs, and each county in the district shall pay its share of such cost as determined by the number of days the total number of patients from such county have spent in the hospital during the quarter, but the sum paid by patients from such county for their treatment therein shall be deducted from this amount. The county boards of supervisors of counties jointly maintaining a district hospital for tuberculosis shall make annual assessments of taxes sufficient to support and defray all necessary expenses of such hospital.

SEC. 1421-22. 1. All taxes levied by the county board of supervisors of any county under the provisions of section 1421-21 shall, when collected, be paid over to the treasurer of the district tuberculosis hospital by the treasurers of the joint counties and the treasurer of said board of trustees shall receipt therefor and shall create a fund to be known as the "tuberculosis hospital fund," and thereupon said funds may be disbursed by said board of trustees for the use of said district tuberculosis hospital and accounted for as provided in the foregoing sections.

2. The treasurer of the board of trustees shall give a bond for the faithful performance of his duties in such sum as may be fixed by the trustees, the expense of such bond to be paid out of the fund for the maintenance of the hospital. The bond of such treasurer shall be filed with the county clerk of the county in which such institution is located.

SEC. 1421-23. Said board of trustees shall meet at the tuberculosis hospital monthly and at such other times as they may deem necessary. On the 1st day of October of each year they shall file with the joint committee a report of their proceedings with reference to such district hospital, and a statement of all receipts and expenditures during the year, and at such time shall certify to the county boards of the different counties the amount necessary to maintain and improve the hospital for the ensuing year.

SEC. 1421-24. The provisions of sections 1421-12 to 1421-14, inclusive, of the statutes, in so far as they relate to applications for admission, medical examinations, pay patients, and State aid, shall be applicable in all cases where joint tuberculosis hospitals are erected and maintained.

**State Board of Health—Continuing Annual Appropriation. (Chap. 580, Act Aug. 18, 1915.)**

SECTION 1. Subsection 5 of section 172-27 of the statutes is amended and subsections 7 and 8 of section 172-27 are created, to read:

SEC. 172-27. 5. There is appropriated on July 1, 1915, \$35,000 and annually beginning July 1, 1916, \$35,000, payable from any moneys in the general fund not otherwise appropriated, to the State board of health to carry into effect the powers, duties, and functions provided by law for said board.

7. There is appropriated on July 1, 1915, \$7,500, payable from any moneys in the general fund not otherwise appropriated, to be used upon special authorization by

the governor and the attorney general as a contingent emergency fund for checking or preventing threatened epidemics of transmissible diseases.

8. There is annually appropriated, beginning July 1, 1915, not to exceed \$2,500 for equipping and operating a State laboratory of hygiene to be situated in a city accessible to physicians and health officers in the northern part of the State of Wisconsin for the conducting of bacteriological and chemical examinations of material from the various contagious and infectious diseases or material from suspected contagious and infectious diseases of men and animals when public health is concerned: *Provided*, That suitable quarters for such laboratory shall be offered to the State free of charge for rent, light, heat, and janitor service.

**City Boards of Health—Creation, Organization, and Powers. (Chap. 101, Act May 18, 1915.)**

SECTION 1. There is added to the statutes a new section to read:

SEC. 1411m. 1. The council of any city, excepting cities of the first class, existing under special charter or organized under the provisions of sections 925m-301 to 925m-319, inclusive, of the statutes, may by ordinance create a board of health of not less than three nor more members than the number of aldermen elected in such city, provide for the manner of their election or appointment, and fix the terms of office of the members of such board. Such ordinance may confer on such board power to appoint a health officer for such city and to fix his term of office and compensation, subject to the approval of such council.

2. Such board of health shall organize by the election of a president and secretary. The secretary shall keep full minutes of the proceedings of such board. No member of such board shall receive compensation unless such compensation shall have been provided by the council.

3. The council of any such city may confer appropriate powers on such board, and may permit such board, by ordinance, to delegate any of its powers to the health officer. Such board of health and any health officer appointed by it shall have all the powers given to boards of health and health officers and commissioners by any general law of this State, and any power conferred on health officers under section 925-111a may be exercised by such board or such officer acting under its authority.

4. All rules and regulations prepared by such board shall be reported to the council of such city, and if the same shall be approved by a majority of the members of such council, such rules and regulations shall have the force and effect of ordinances, and the violation thereof may be prosecuted and punished as in the case of ordinances.

**Milk and Cream—Permits for Buying, Receiving, and Shipping—Sanitary Condition of Utensils, Buildings, and Premises. (Chap. 617, Act Aug. 23, 1915.)**

SECTION 1. There is added to the statutes a new section to read:

SEC. 1636-70. 1. No person, either for himself or as agent or employee of another, shall establish or maintain a receiving station or depot in any town, village, or city in this State and engage therein in buying or receiving and shipping milk or cream unless he shall have first received a permit to engage in such business from the board of health of such town, village, or city; but this section shall not apply to the gathering or collecting of milk or cream by wagon or other similar vehicle or by automobile or other similar motor vehicle or to the distribution of milk or cream to the ultimate consumer.

2. Permits to engage in buying or receiving and shipping milk or cream as provided in subsection 1 of this section shall be issued only to persons who shall present satisfactory evidence to the board of health that they are qualified and competent to conduct such business in a clean and sanitary manner and that the utensils, cans, vessels, rooms, or buildings or other equipment, facilities, or premises used in con-

ducting such business are and will be maintained in a clean and sanitary condition or in any condition that will not tend to produce or promote unhealthfulness or disease.

3. Each applicant for such permit shall pay \$5 to such board of health before such permit shall be issued to him. All such permits shall expire on the 31st day of December of the year in which issued. All money received under the provisions of this section shall be paid into the treasury of the town, village, or city in which the permit for conducting such business is issued.

4. The board of health of any town, village, or city may at any time revoke any permit issued by it whenever the grantee shall conduct such business in an unclean and insanitary manner, shall keep the utensils, cans, vessels, rooms, or buildings, or other equipment, facilities, or premises used in conducting such business in an unclean or insanitary condition or in any condition tending to produce or promote unhealthfulness or disease, or shall be convicted of violating any of the laws of this State or the rules or regulations of the State board of health of [sic] such town, village, or city relating to sanitation.

5. Any person violating any of the provisions of subsection 1 of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$25 nor more than \$100, or by imprisonment in the county jail not less than 30 days nor more than 6 months, or by both such fine and imprisonment.

#### **Births, Deaths, and Marriages—Fees for Reporting. (Chap. 38, Act Apr. 20, 1915.)**

SECTION 1. Section 1022-53 of the statutes is repealed.

SEC. 2. Subsection 1 of section 1022-58 of the statutes is amended to read:

SEC. 1022-58. 1. Each physician, midwife, minister, or priest, court commissioner, judge of a court of record, justice of the peace, or other person acting as informant and filing with the local registrar, certificates of births, deaths, and marriages completely and legibly made out in ink, shall be entitled to receive the sum of 25 cents for each birth, death, and marriage so recorded, to be paid by the treasurer of the county upon certification by the State registrar.

#### **Births—Registration of—Physicians' or Midwives' Bills Unlawful Unless Birth Is Reported. (Chap. 230, Act June 11, 1915.)**

SECTION 1. Section 1022-28 of the statutes is amended to read:

SEC. 1022-28. The physician or midwife in attendance when any birth occurs shall file a certificate of birth, properly and completely filled out, giving all the particulars required by sections 1022-1 to 1022-62 inclusive, with the local registrar of vital statistics of the district in which the birth occurred within five days after the date of birth. All bills or charges for professional services rendered by the physician or midwife in attendance upon a birth shall be unlawful, if the birth certificate, properly filled out, is not reported as herein provided.

#### **Marriage—Amendment to the Law Requiring Physical Examination of Male Applicants for Marriage License.<sup>1</sup> (Chap. 525, Act Aug. 10, 1915.)**

SECTION 1. Subsections 3, 4, and 5 of section 2339m of the statutes are hereby repealed.

SEC. 2. Subsections 1, 2, 6, and 7 of section 2339m of the statutes are amended to read:

SEC. 2339m. 1. All male persons making application for license to marry shall at any time within 15 days prior to such application be examined as to the existence or nonexistence in such person of any venereal disease, and it shall be unlawful for the county clerk of any county to issue a license to marry to any person who fails to

<sup>1</sup> The original law will be found in Reprint No. 264 from the Public Health Reports, p. 504.

present and file with such county clerk a certificate setting forth that such person is free from venereal diseases so nearly as can be determined by a thorough examination and by the application of the recognized clinical and laboratory tests of scientific search, when, in the discretion of the examining physician, such clinical and laboratory tests are necessary. When a microscopical examination for gonococci is required, such examination shall, upon the request of any physician in the State, be made by the State laboratory of hygiene free of charge.

The Wassermann test for syphilis when required shall, upon application, be made by the Psychiatric Institute at Mendota free of charge. Such certificate shall be made by a licensed physician, shall be filed with the application for license to marry, and shall read as follows, to wit:

I, ....., being a legally licensed physician, do certify that I have this .....  
 day of ....., 19.., made a thorough examination of .....  
 and believe him to be free from all venereal diseases. (Name of person.)

.....  
 (Signature of physician.)

2. Such examiners shall be physicians duly licensed to practice in this State. The fee for such examination, to be paid by the applicant for examination before the certificate shall be granted, shall not exceed \$2. The county or asylum physician of any county shall, upon request, make the necessary examination and issue such certificate, if the same can be properly issued, without charge to the applicant, if said applicant be indigent.

3. Any county clerk who shall unlawfully issue a license to marry to any person who fails to present and file the certificate provided by subsection 1 of this section, or any party or parties having knowledge of any matter relating or pertaining to the examination of any applicant for license to marry, who shall disclose the same, or any portion thereof, except as may be required by law, shall upon proof thereof be punished by a fine of not more than \$100 or by imprisonment not more than six months.

4. Any physician who shall knowingly and willfully make any false statement in the certificate provided for in subsection 1 of this section shall be punished by a fine of not more than \$100 or by imprisonment not more than six months.

#### **Embalming—Qualifications for License—Transportation of Dead Bodies—State Board of Health Authorized to Make Rules. (Chap. 446, Act July 23, 1915.)**

SECTION 1. Section 4608c of the statutes is repealed.

SEC. 2. Sections 1409-3 and 4608a of the statutes are amended to read:

SEC. 1409-3. No person shall be granted a license under sections 1409-1 to 1409-9, inclusive, who has not had at least two years of practical instruction in embalming and disinfecting under a licensed embalmer. Each application for an embalmer's license shall be made in writing on blanks prescribed by the State board of health and filed with the secretary of said board, and shall be accompanied by a fee of \$5, and proof that the applicant is a person of good moral character, and of the age of 21 years or over, and has a general education equivalent to that required for graduation from the eighth grade of any public school.

SEC. 4608a. 1. The State board of health is hereby empowered to make such rules and regulations for the transportation of the dead as in its judgment may be necessary to preserve the public health, and no dead body shall be accepted for transportation except when prepared in conformity to the rules and regulations adopted by said board for the transportation of the dead.

#### **Mausoleums, Vaults, and Crypts—Construction and Maintenance—Approval of Plans by State Board of Health. (Chap. 213, Act June 10, 1915.)**

SECTION 1. There are added to the statutes four new sections to read:

SEC. 1455-1. No person, firm, or corporation shall build, construct, or erect any mausoleum, vault, crypt or structure intended to hold or contain dead human bodies,

which shall be wholly or partially above the surface of the ground, except in compliance with the rules and regulations of the State board of health governing their location, materials, and construction. The State board of health is hereby authorized and empowered to adopt and enforce such rules and regulations governing the location, materials, and construction of mausoleums, vaults, crypts, or other similar structures: *Provided*, The proper local officials of any township, incorporated village or city shall have the authority to make and enforce such additional ordinances, by-laws, rules, or regulations as they may deem necessary not inconsistent with this act or with any rule or regulation adopted or prescribed by the State board of health.

Before commencing the building, construction, or erection of the same, full detailed plans and specifications of such structure shall be presented to the State board of health for its examination and approval. The approval of the said plans and specifications by the State board of health shall be evidenced by a certificate in writing, signed by the executive officer of the said board.

SEC. 1455-2. The State board of health shall have supervisory control over the construction of any such mausoleum, vault, or crypt, and it shall be the duty of said board to see that the approved plans and specifications are in all respects complied with. No departure or deviation from the original plans and specifications shall be permitted, except upon approval of the State board of health, evidenced in like manner and form as the approval of the original plans and specifications.

No mausoleum, vault, crypt or structure so erected as aforesaid shall be used for the purpose of interring or depositing therein any dead body until there shall have been obtained from the State board of health a final certificate signed by the executive officer of the board, stating that the plans and specifications as filed, have been complied with, and that the maintenance fund required by this act has been deposited with the proper city or county official.

SEC. 1455-3. There shall be deposited with the city treasurer or where said mausoleum, vault, or crypt is to be erected in territory not under the jurisdiction of any city, then with the county treasurer of the county in which such mausoleum, vault, crypt, or structure is to be constructed, a maintenance fund in such sum as shall be determined and fixed by the said State board of health, which said fund shall be held and invested by said city or county treasurer for the benefit of and care for such mausoleum, vault, or crypt and the income thereof paid annually or less frequently as the cemetery or other committee having in charge such mausoleum, vault, or crypt may require for the care and up-keep of said structure.

SEC. 1455-4. Any person, any member of a firm, or any officer or director of a corporation failing to comply with each and every provision of this act shall be personally liable therefor, and shall, upon conviction thereof, be deemed guilty of a misdemeanor. Violation of any of the provisions of this act shall be punishable by a fine of not less than \$100 nor more than \$500 or by confinement in the county jail not less than 10 days nor more than 6 months or by both such fine and imprisonment. This act shall not apply to any mausoleum now in process of construction.

**Lying-In Hospitals and Maternity Homes—License—Penalty for Violation of Law.**  
(Chap. 243, Act June 11, 1915.)

SECTION 1. Section 1542*f* of the statutes is amended to read:

SEC. 1542*f*. Any person found guilty of violating any of the provisions of section 1542*a* to 1542*g*,<sup>1</sup> inclusive, shall be punished by a fine of not less than \$10 nor more than \$500, or by imprisonment in the county jail not more than one year.

SEC. 2. There is added to the statutes a new section to read:

SEC. 1542*g*. Every person, persons, firm, or corporation who now conducts a lying-in hospital, hospital ward, maternity home, or other place for the reception, care, and treatment of pregnant women, and every person, persons, firm, or corporation

<sup>1</sup> These sections relate to the conduct of maternity hospitals and homes for infants.



who shall hereafter engage in conducting such business shall obtain a license from the State board of health which shall not be transferable to other persons or other premises. Every license when issued shall be without charge and shall expire on the 31st day of December next following the issuance. Every application for a license shall first be approved by the health officer of the township, incorporated village, or city in which such lying-in hospital, hospital ward, maternity hospital, or other place for the care and treatment of pregnant women shall be maintained.

Such license when issued shall be for a term not exceeding one year unless revoked by the State board of health for reasonable and just cause. The application for license shall state the name of the licensee, the street and number of the building, and the number of inmates which may be boarded there at one time. No greater number of inmates shall be housed at one time in the building than is authorized by the license, and no pregnant woman or infant shall be kept in a building or place not designated in the license. A record of licenses issued shall be kept by the State board of health, which shall forthwith give notice to the health officer of the township, incorporated village, or city in which the institution is located, of the granting of such license and of the terms thereof. Whoever establishes or keeps, or is concerned in establishing or keeping a hospital, hospital ward, maternity hospital, or other place for the purpose of caring for and treating pregnant women without such license shall be punished by a fine of not less than \$100 and for any subsequent offense by imprisonment for not less than one year.

**Tuberculin Test—Diseased Bovine Animals—Slaughtering and Appraisalment.**  
(Chap. 93, Act May 14, 1915.)

SECTION 1. Subsections 1 and 11 of section 1492b and subsection 1 of section 1492d of the statutes are amended to read:

SEC. 1492b. 1. Whenever the owner shall not exercise the option mentioned in the preceding section,<sup>1</sup> and it shall be deemed necessary by the board to slaughter diseased animals and animals reacting to the tuberculin test, either on the premises or at some designated abattoir or any other place for demonstration purposes, and the representative of the live-stock sanitary board and State veterinarian can not agree with the owner as to the value of such animal, written notice shall be given to the owner, his agent or the person in charge of such animals, and to a justice of the peace in the county in which the animals may be of the purpose to order the slaughter thereof, giving the number and description of the animals and the name of the owner.

11. The owners of condemned and slaughtered animals shall receive compensation therefor from the State until June 1, 1917, as follows:

(a) For bovine animals condemned and ordered slaughtered by the board, on account of reacting to the tuberculin test, but upon whose carcass no tubercular lesion were found, the full appraised value, which in no case shall exceed \$70.

(b) For bovine animals condemned and ordered slaughtered on account of having reacted to the tuberculin test, upon whose carcass tubercular lesions were found at the time of the slaughter thereof, but which carcass was passed for food by the inspector, three-fourths of the appraised value of such animal.

(c) For bovine animals described in subdivision (d) of this section, if the carcass of such animal is ordered tanked as unfit for food, by the inspector, one-half of the appraised value of such animal.

(d) For other animals condemned and ordered slaughtered by the board, three-fourths of the appraised value of such animal.

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<sup>1</sup> The section referred to grants the owner the option of "retaining the animals in quarantine, under such restrictions as the board may prescribe or of shipping them under the auspices and direction of the board to some abattoir designated by it for immediate slaughter under United States government inspection."

**SECTION 1492d.** 1. All claims against the State arising from the slaughter of animals shall be made by filing with the secretary of state a copy of the live-stock sanitary board's notice to the owner and to the justice of the peace, and the return of the appraisers to the justice, which notice and return shall be certified by such justice, together with a statement of the person under whose inspection such animals were slaughtered, giving the name and place of residence of the owner, the date on which such animals were slaughtered, the tag number of each animal, and showing whether tubercular lesions were found in the carcass of any such animal and stating whether such carcass was passed for food or tanked; the secretary of state and State veterinarian shall examine such statements, and if satisfied that the amounts at which such animals were appraised are just and that the owner of such animals or animals slaughtered is entitled to indemnity, the secretary of state shall issue his warrant in favor of the owner of such animal for the full sum named in such return for all animals ordered slaughtered by the proper authorities on account of reacting to the tuberculin test upon whose carcass the inspector failed to discover tubercular lesions at the slaughter thereof and for three-fourths of the sum named in such return for all other animals so slaughtered. In case the representative of the live-stock sanitary board and the State veterinarian can agree with the owner of the animal so slaughtered upon the value of such animal, claims against the State arising from the slaughter of animals shall be made in the same manner as hereinbefore provided in this subsection except that the returns as to the appraisal of animals so slaughtered shall be made by filing with the secretary of state a copy of the live-stock sanitary board's notice to the owner and a copy of their appraisal, which shall be certified to before a notary public, justice of the peace, or other person authorized to administer oaths.

**Tuberculin Test—Slaughtering of Diseased Animals—Disposition of Carcasses.**  
(Chap. 561, Act Aug. 17, 1915.)

**SECTION 1.** Subsection 9 of section 1492b of the statutes is amended to read:

**SEC. 1492b.** 9. If any such appraised animals be slaughtered on the premises of the owner thereof such slaughter shall be made under the supervision and direction of the State veterinarian or an assistant. If, after inspecting the carcass of the above-described animals, it is found, according to rules of inspection laid down by the live-stock sanitary board, which shall conform with those of the United States Bureau of Animal Industry, that the carcass is unfit for human food, he shall destroy such carcass, or cause the same to be buried and covered with a sufficient quantity of lime to destroy the carcass. The hide shall be disinfected and otherwise cared for according to rules laid down by the live-stock sanitary board. If the carcass is fit to be used for human food it may be disposed of in accordance with the provisions made by the said board.

**Tuberculin Test—Inspection of Live Stock for Interstate Shipment.** (Chap. 625, Act Aug. 23, 1915.)

**SECTION 1.** There is added to the statutes a new section, to read:

**SEC. 1492em.** 1. No inspection for interstate shipment of live stock shall be made in this State by any person other than an inspector of the United States Bureau of Animal Industry or an authorized inspector of the live stock sanitary board.

2. Any person violating any provision of subsection 1 of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$25 nor more than \$100, or by imprisonment in the county jail for not more than 30 days, or by both such fine and imprisonment.

3. Whenever inspections and tuberculin tests of cattle for interstate shipment from this State are not made or administered by an inspector of the United States Bureau of Animal Industry, the live stock sanitary board shall, upon request for such inspection or tuberculin test, cause such inspection or test to be made or administered.

4. Any person, firm, or corporation requesting inspection or tuberculin test of cattle for interstate shipment from this State shall pay therefor such fees as shall be determined by the live-stock sanitary board, which shall be as nearly equivalent to the cost of such inspection or test as can be determined from the records in the office of the said board. Such fees shall be paid to the person making the inspection or administering the tuberculin test before a certificate of inspection shall be delivered to the person, firm, or corporation. All moneys received as fees under the provisions of this section shall be paid into the State treasury, and shall be credited to the appropriation account of the State live-stock sanitary board. The board may require its inspectors to give such bond as it may determine.

5. Whenever cattle which have been tuberculin tested by an authorized inspector in this State prior to shipment from this State into another State and such cattle are tuberculin tested in such other State within three months after arrival therein, and an unreasonable number of such cattle react to such test, the State live-stock sanitary board shall investigate the facts in connection therewith. The said board may, as herein provided, compel the appearance before it of the person or the proper official of the firm or corporation making such shipment. If upon such investigation the State live-stock sanitary board shall find that the unreasonable number of reactors to the tuberculin test administered in such other State was due to the act or omission of such person, firm, or corporation, the said board shall thereafter deny to such person, firm, or corporation the privileges of inspection as herein provided.

6. Whenever the live-stock sanitary board or other similar board of any other State shall report to the live-stock sanitary board of this State that a person, firm, or corporation of such other State has bought and collected in this State a consignment of cattle which had been tuberculin tested by an authorized inspector in this State prior to shipment from this State into such other State that an unreasonable number of such cattle had reacted to such test in such other State, and that such facts were substantiated by post-mortem examination by a Federal meat inspector, the live-stock sanitary board shall thereafter deny to such person, firm, or corporation the privileges of inspection as provided in this section.

7. For the purpose of promoting live-stock sanitation and of carrying out the provisions of this section, the live-stock sanitary board shall have power to administer oaths, issue subpoenas, compel the attendance of witnesses, and the production of papers, books, accounts, documents, and testimony. In case of disobedience on the part of any person to comply with any order of the board, or any member thereof, or any subpoena issued in behalf of such board, or on the refusal of any witness to testify to any matters regarding which he may be lawfully interrogated, it shall be the duty of the circuit court of any county, or the judge thereof, on application of a member of the board, to compel obedience by attachment proceedings for contempt as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein. A record of all hearings had under the provisions of this section shall be kept in the office of the live-stock sanitary board.

**Ashes, Garbage, and Rubbish—Cities and Villages Authorized to Provide for the Collection and Removal of. (Chap. 163, Act May 27, 1915.)**

SECTION 1. Section 927*p* of the statutes is amended to read:

SEC. 927*p*. The common council of all cities and the village boards of all villages are authorized and empowered to cause the removal of ashes, garbage, and rubbish from residences, residence premises, and such other buildings and premises as may be determined by the common council or village board; and such common council or village board may create and establish one or more special districts in such city or village for the removal of ashes, garbage, and rubbish from residences, residence premises, and such other buildings and premises as may be determined by such common council or village board. It shall be optional with such common council

or village board to cause to be removed ashes, garbage, or rubbish from the residences, premises, or buildings of the owners thereof in such district or districts, or in the entire city or village, or from the residences, premises, or buildings of the owners in such district or districts, city, or village who desire such collection and removal. It shall be optional with the common council or village board to charge, assess, and tax the cost of such collection and removal to the several owners of such residences, premises, or buildings on and from which such ashes, garbage, and rubbish have been produced or accumulated, in the same manner as other special taxes are levied and collected, or to provide for such cost by a general tax on all property subject to taxation within the city or village limits in the same manner as other taxes are levied and collected, or by a general tax on all property subject to taxation within the special district or districts from which such ashes, garbage, and rubbish have been collected and removed in the same manner as other taxes are levied and collected.

**Barber Shops—Sanitary Regulation. (Reg. Bd. of H., Aug. 26, 1915.)**

**RULE 1.** The use of barber shops as a living, dining, or sleeping apartment is prohibited.

**RULE 2.** The floors, walls, furniture, and other fixtures of barber shops shall at all times be kept clean; all jardinières and cuspidors shall be thoroughly cleaned at least once each day.

Floors must be kept free from hair and swept or mopped each day.

**RULE 3.** Every barber shall see that no person expectorates on the floors or walls of his shop.

**RULE 4.** The use of stores, saloons, or other places of business as a barber shop is prohibited, unless the barber shop is located in a room or rooms provided especially for that purpose. The provision of this rule shall not apply in cases where there is no established barber shop in the town.

**RULE 5.** Every barber or other person in charge of any barber shop shall supply clean hot and cold water in such quantities as may be necessary to conduct such shop in a sanitary manner. Hot-water tanks shall be used for no other purpose than that of heating water.

**RULE 6.** No owner or manager of a barber shop shall permit any person suffering from a communicable skin disease or from a venereal disease to act as a barber in said shop.

**RULE 7.** No barber or other person in charge of any barber shop shall undertake to treat any disease of the skin.

**RULE 8.** Every barber or other person in charge of any barber shop shall use separate and clean towels for each customer, and shall, while serving said customer, wear washable outer linen apron or coat, which shall be kept clean.

**RULE 9.** No barber shall permit any person to use the head rest of any barber's chair under his control unless the head rest is covered with a towel that has been washed since last being used, or by a clean, new paper.

**RULE 10.** No barber shall shave any person when the surface to be shaved is inflamed or broken out or contains pus, unless such person is provided with a cup and shaving brush for his individual use.

**RULE 11.** Hair brushes and combs must at all times be kept clean.

**RULE 12.** Every barber shall thoroughly cleanse his hands immediately before serving each customer.

**RULE 13.** No barber shall, to stop the flow of blood, use alum or other material unless the same be used as a powder and applied with a clean towel or in liquid form.

**RULE 14.** All shaving cups and lathering brushes must be thoroughly cleaned with hot water before using on any customer.

**RULE 15.** The use of finger bowls, sponges, and powder puffs is prohibited.

**RULE 16.** When a hot towel is used it must be discarded after using once until laundered. Dipping towels in receptacles containing hot water and using same on a customer is insanitary and is strictly forbidden.

**RULE 17.** All tools used upon a customer who has symptoms of a skin disease of any kind must be sterilized by immersing in 50 per cent alcohol for 10 minutes, 5 per cent carbolic acid for 10 minutes, or by boiling at least 10 minutes after each separate use thereof. The barber should wash his hands with soap and hot water and then apply alcohol or some other approved disinfectant. The razor used on each customer must not be stopped until it has been sterilized.

**RULE 18.** The owner or manager of any barber shop shall post a copy of these rules and regulations in a conspicuous place in said shop.

**Barbers—State Board of Health to Supervise Examinations of Barbers and to Make Sanitary Regulations for Barber Shops. (Chap. 221, Act June 10, 1915.)**

**SECTION 1.** Sections 1636-19 and 1636-20 of the statutes are repealed.

**SEC. 2.** There are added to the statutes two new sections to be numbered and to read:

**SEC. 1636-19.** The State board of health shall on or before August 1, 1915, appoint and shall have power to remove three competent and practical barbers, each of whom shall have been engaged in the occupation of barbering for at least five years in this State, to be known as the committee of examiners, who shall conduct the examinations required by the provisions of sections 1636-18 to 1636-29, inclusive, of the statutes. Such examiners shall be exempt from the provisions of sections 990-1 to 990-32, inclusive, of the statutes.

**SEC. 1636-20.** The term "board" when used in any of the provisions of sections 1636-18 to 1636-29, inclusive, of the statutes, shall mean the State board of health, and all fees required to be paid by any of said sections shall be paid to the secretary of said board. Such board shall have power and authority and it shall be its duty to prescribe, amend, and enforce rules and regulations for the examination and licensing of journeymen and master barbers, and make and enforce reasonable rules governing the sanitary and hygienic conditions of barber shops.

**SEC. 3.** Sections 1636-21, 1636-22, 1636-24, 1636-27, and 172-91 of the statutes are amended to read:

**SEC. 1636-21.** Each such examiner shall receive \$5 per day for the actual number of days served by such member in performing the duties imposed by sections 1636-18 to 1636-29, inclusive, and in addition to such compensation shall be reimbursed his actual and necessary expenses in performing the duties prescribed by said sections. All claims for services shall show the actual number of hours of service for each day of such service, and in no case shall the allowance exceed the amount of \$5 for services performed during any one calendar day. The total expenditures for carrying out the provisions of sections 1636-18 to 1636-29, inclusive, shall not exceed the amount of moneys collected and deposited by the secretary of said board as provided in section 172-91.

**SEC. 1636-22.** The regular examinations for the licensing of journeymen and master barbers shall be held at least four times a year. Special examinations may be held whenever the board shall deem it necessary. The times and places of examinations shall be fixed by the board. Whenever complaint is made that any barber shop is kept in an insanitary condition or that a contagious disease has there been imparted the board shall investigate or cause to be investigated such complaint and enforce the provisions of sections 1636-18 to 1636-29, inclusive. The board shall keep a register of all licensed apprentices, journeymen, and master barbers, and such register shall at all times be open to public inspection. The board shall keep a record of all its proceedings, shall show whether an applicant was licensed or rejected by examination or

otherwise, and such books shall be prima facie evidence of all matters reported therein. The fiscal year of said board shall close on June 30, and said board shall file with the governor annually in July an itemized report giving the full statement of all receipts and expenditures, and of its proceedings, business, and activities.

SEC. 1636-24. Any person desiring to become a licensed master barber shall first make an application for a journeyman's license, and such application shall be accompanied by a fee of \$5. Upon approval of such application the board shall issue to such person a journeyman's license, which shall entitle the holder thereof to practice as a barber under a master barber for a period of one year from the date of said journeyman's license and shall also entitle the holder thereof to take one or more examinations provided for in section 1636-22. Said examinations may only be taken during the life of such journeyman's license. Such license may, for good and sufficient reason, be revoked by said board at any time. No charge shall be made for the privilege of taking examinations, but examinations shall only be given to persons who at the time hold journeymen's licenses. When such applicant shall have successfully passed an examination the journeyman's license shall become null and void and the board shall thereupon issue a master's license to such successful applicant, which license shall entitle the holder thereof to practice as a duly licensed master barber. All such master's licenses issued by said board shall expire on June 30 next succeeding the date of issuance thereof. Every person receiving any such master's license shall pay a fee of \$1. All holders of master's licenses shall, on or before July 1, make application for a renewal of such license for the subsequent year and shall accompany such application with a fee of \$1, and upon receipt of such application and fee the board shall issue a new license good for the ensuing fiscal year. If such application is not made by the date above named the board may revoke the license. Persons who at the time of the passage of this act hold apprentice or barbers' permits or registered barbers' licenses shall have the same rights and be subject to the same regulations applying to licensed apprentices, journeymen, or master barbers, respectively.

SEC. 1636-27. Said board is authorized to adopt reasonable rules providing for the sanitary regulation of barber shops and shall have the power to enter any barber shop during business hours for the purpose of inspection of such shops. If any shop be found in an insanitary condition, or if any barber working therein has been charged with imparting any contagious disease, the board shall immediately notify the local health officer thereof, and such shop shall be quarantined, and the barber so charged shall not practice his occupation until such quarantine shall be removed by the health officer. Said board shall have the power to revoke any license granted by it for (a) conviction of crime, (b) habitual drunkenness, (c) having imparted any infectious or contagious disease, (d) for violation of the sanitary rules adopted by the board and approved by the State board of health, or (e) for gross incompetency: *Provided, That before any license shall be so revoked the holder thereof shall have notice in writing of the charge or charges against him, and at a day specified in said notice, at least five days after the service thereof, be given a public hearing and be given an opportunity to present testimony in his behalf and to confront the witnesses against him.* Any person whose license has been revoked may, after the expiration of 90 days, apply to have his license regranted, and the same shall be regranted upon his giving satisfactory proof that the disqualification has ceased to exist.

SEC. 172-91. 1. All moneys received by the secretary of the board of health for barbers' examinations shall be paid, within one week of their receipt, into the general fund of the State treasury, and all such moneys are appropriated to the board of health to carry into effect the provisions of sections 1636-18 to 1636-29, inclusive, of the statutes.

2. All accounts and claims lawfully incurred in carrying out the powers, duties, and functions of the board of barber examiners shall be certified and audited as pro-

vided in section 145 and paid out of the general fund and charged by the secretary of state against the special appropriation account of the board of health, provided for in subsection 1 of this section.

**Repapering or Recalcimining—Old Paper or Calcimine Must Be Removed. (Chap. 263, Act June 18, 1915.)**

SECTION 1. There is added to the statutes a new section to read:

SEC. 4608z. 1. It shall be the duty of every person, firm, or corporation engaged in the business of calcimining, decorating, or paperhanging, before repapering or recalcimining any part of a wall or the ceiling of any room in any hotel or other public place which has previously been papered or calcimined, to remove all the paper or calcimine previously placed and remaining upon that part of the wall or ceiling to be repapered or recalcimined, and to thoroughly cleanse the same after so removing the paper or calcimine previously placed thereon before again papering or calcimining such wall or ceiling or part thereof.

2. Any person, firm, or corporation violating any provision of subsection 1 of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$5 nor more than \$25 for each offense.

**Advertisements—Untrue, Deceptive, or Misleading, Prohibited. (Chap. 84, Act May 11, 1915.)**

SECTION 1. Section 1747k of the statutes is amended to read:

SEC. 1747k. Any person, firm, corporation or association who, with intent to sell or in any wise dispose of merchandise, live stock, securities, service, or anything offered by such person, firm, corporation, or association, directly or indirectly, to the public for sale or distribution, or with intent to increase the consumption thereof, or to induce the public in any manner to enter into any obligation relating thereto, or to acquire title thereto, or an interest therein, for the purpose of defrauding the public, makes, publishes, disseminates, circulates, or places before the public, or causes, directly or indirectly, to be made, published, disseminated, circulated, or placed before the public, in this State, in a newspaper or other publication, or in the form of a book, notice, handbill, poster, bill, circular, pamphlet, or letter, or in any other way an advertisement of any sort regarding merchandise, live stock, securities, service, or anything so offered to the public, which advertisement contains any assertion, representation, or statement of fact which is untrue, deceptive, or misleading, shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine of not less than \$10 nor more than \$200, or by imprisonment in the county jail not less than 10 days nor more than 90 days, or by both such fine and imprisonment: *Providing*, That nothing herein shall apply to any proprietor or publisher of any newspaper or magazine who publishes, disseminates, or circulates any such advertisement without knowledge of the unlawful or untruthful nature of such advertisement.

ducting such business are and will be maintained in a clean and sanitary condition or in any condition that will not tend to produce or promote unhealthfulness or disease.

3. Each applicant for such permit shall pay \$5 to such board of health before such permit shall be issued to him. All such permits shall expire on the 31st day of December of the year in which issued. All money received under the provisions of this section shall be paid into the treasury of the town, village, or city in which the permit for conducting such business is issued.

4. The board of health of any town, village, or city may at any time revoke any permit issued by it whenever the grantee shall conduct such business in an unclean and insanitary manner, shall keep the utensils, cans, vessels, rooms, or buildings, or other equipment, facilities, or premises used in conducting such business in an unclean or insanitary condition or in any condition tending to produce or promote unhealthfulness or disease, or shall be convicted of violating any of the laws of this State or the rules or regulations of the State board of health of [sic] such town, village, or city relating to sanitation.

5. Any person violating any of the provisions of subsection 1 of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$25 nor more than \$100, or by imprisonment in the county jail not less than 30 days nor more than 6 months, or by both such fine and imprisonment.

**Births, Deaths, and Marriages—Fees for Reporting.** (Chap. 38, Act Apr. 20, 1915.)

SECTION 1. Section 1022-53 of the statutes is repealed.

SEC. 2. Subsection 1 of section 1022-58 of the statutes is amended to read:

SEC. 1022-58. 1. Each physician, midwife, minister, or priest, court commissioner, judge of a court of record, justice of the peace, or other person acting as informant and filing with the local registrar, certificates of births, deaths, and marriages completely and legibly made out in ink, shall be entitled to receive the sum of 25 cents for each birth, death, and marriage so recorded, to be paid by the treasurer of the county upon certification by the State registrar.

**Births—Registration of—Physicians' or Midwives' Bills Unlawful Unless Birth Is Reported.** (Chap. 230, Act June 11, 1915.)

SECTION 1. Section 1022-28 of the statutes is amended to read:

SEC. 1022-28. The physician or midwife in attendance when any birth occurs shall file a certificate of birth, properly and completely filled out, giving all the particulars required by sections 1022-1 to 1022-62 inclusive, with the local registrar of vital statistics of the district in which the birth occurred within five days after the date of birth. All bills or charges for professional services rendered by the physician or midwife in attendance upon a birth shall be unlawful, if the birth certificate, properly filled out, is not reported as herein provided.

**Marriage—Amendment to the Law Requiring Physical Examination of Male Applicants for Marriage License.<sup>1</sup>** (Chap. 525, Act Aug. 10, 1915.)

SECTION 1. Subsections 3, 4, and 5 of section 2339*m* of the statutes are hereby repealed.

SEC. 2. Subsections 1, 2, 6, and 7 of section 2339*m* of the statutes are amended to read:

SEC. 2339*m*. 1. All male persons making application for license to marry shall at any time within 15 days prior to such application be examined as to the existence or nonexistence in such person of any venereal disease, and it shall be unlawful for the county clerk of any county to issue a license to marry to any person who fails to

<sup>1</sup> The original law will be found in Reprint No. 264 from the Public Health Reports, p. 504.



present and file with such county clerk a certificate setting forth that such person is free from venereal diseases so nearly as can be determined by a thorough examination and by the application of the recognized clinical and laboratory tests of scientific search, when, in the discretion of the examining physician, such clinical and laboratory tests are necessary. When a microscopical examination for gonococci is required, such examination shall, upon the request of any physician in the State, be made by the State laboratory of hygiene free of charge.

The Wassermann test for syphilis when required shall, upon application, be made by the Psychiatric Institute at Mendota free of charge. Such certificate shall be made by a licensed physician, shall be filed with the application for license to marry, and shall read as follows, to wit:

I, ....., being a legally licensed physician, do certify that I have this .....  
 day of ..... (Name of physician.)  
 ....., 19.., made a thorough examination of .....  
 and believe him to be free from all venereal diseases. (Name of person.)

.....  
 (Signature of physician.)

2. Such examiners shall be physicians duly licensed to practice in this State. The fee for such examination, to be paid by the applicant for examination before the certificate shall be granted, shall not exceed \$2. The county or asylum physician of any county shall, upon request, make the necessary examination and issue such certificate, if the same can be properly issued, without charge to the applicant, if said applicant be indigent.

3. Any county clerk who shall unlawfully issue a license to marry to any person who fails to present and file the certificate provided by subsection 1 of this section, or any party or parties having knowledge of any matter relating or pertaining to the examination of any applicant for license to marry, who shall disclose the same, or any portion thereof, except as may be required by law, shall upon proof thereof be punished by a fine of not more than \$100 or by imprisonment not more than six months.

4. Any physician who shall knowingly and willfully make any false statement in the certificate provided for in subsection 1 of this section shall be punished by a fine of not more than \$100 or by imprisonment not more than six months.

#### **Embalming—Qualifications for License—Transportation of Dead Bodies—State Board of Health Authorized to Make Rules. (Chap. 446, Act July 23, 1915.)**

SECTION 1. Section 4608c of the statutes is repealed.

SEC. 2. Sections 1409-3 and 4608a of the statutes are amended to read:

SEC. 1409-3. No person shall be granted a license under sections 1409-1 to 1409-9, inclusive, who has not had at least two years of practical instruction in embalming and disinfecting under a licensed embalmer. Each application for an embalmer's license shall be made in writing on blanks prescribed by the State board of health and filed with the secretary of said board, and shall be accompanied by a fee of \$5, and proof that the applicant is a person of good moral character, and of the age of 21 years or over, and has a general education equivalent to that required for graduation from the eighth grade of any public school.

SEC. 4608a. 1. The State board of health is hereby empowered to make such rules and regulations for the transportation of the dead as in its judgment may be necessary to preserve the public health, and no dead body shall be accepted for transportation except when prepared in conformity to the rules and regulations adopted by said board for the transportation of the dead.

#### **Mausoleums, Vaults, and Crypts—Construction and Maintenance—Approval of Plans by State Board of Health. (Chap. 213, Act June 10, 1915.)**

SECTION 1. There are added to the statutes four new sections to read:

SEC. 1455-1. No person, firm, or corporation shall build, construct, or erect any mausoleum, vault, crypt or structure intended to hold or contain dead human bodies,

which shall be wholly or partially above the surface of the ground, except in compliance with the rules and regulations of the State board of health governing their location, materials, and construction. The State board of health is hereby authorized and empowered to adopt and enforce such rules and regulations governing the location, materials, and construction of mausoleums, vaults, crypts, or other similar structures: *Provided*, The proper local officials of any township, incorporated village or city shall have the authority to make and enforce such additional ordinances, by-laws, rules, or regulations as they may deem necessary not inconsistent with this act or with any rule or regulation adopted or prescribed by the State board of health.

Before commencing the building, construction, or erection of the same, full detailed plans and specifications of such structure shall be presented to the State board of health for its examination and approval. The approval of the said plans and specifications by the State board of health shall be evidenced by a certificate in writing, signed by the executive officer of the said board.

Sec. 1455-2. The State board of health shall have supervisory control over the construction of any such mausoleum, vault, or crypt, and it shall be the duty of said board to see that the approved plans and specifications are in all respects complied with. No departure or deviation from the original plans and specifications shall be permitted, except upon approval of the State board of health, evidenced in like manner and form as the approval of the original plans and specifications.

No mausoleum, vault, crypt or structure so erected as aforesaid shall be used for the purpose of interring or depositing therein any dead body until there shall have been obtained from the State board of health a final certificate signed by the executive officer of the board, stating that the plans and specifications as filed, have been complied with, and that the maintenance fund required by this act has been deposited with the proper city or county official.

Sec. 1455-3. There shall be deposited with the city treasurer or where said mausoleum, vault, or crypt is to be erected in territory not under the jurisdiction of any city, then with the county treasurer of the county in which such mausoleum, vault, crypt, or structure is to be constructed, a maintenance fund in such sum as shall be determined and fixed by the said State board of health, which said fund shall be held and invested by said city or county treasurer for the benefit of and care for such mausoleum, vault, or crypt and the income thereof paid annually or less frequently as the cemetery or other committee having in charge such mausoleum, vault, or crypt may require for the care and up-keep of said structure.

Sec. 1455-4. Any person, any member of a firm, or any officer or director of a corporation failing to comply with each and every provision of this act shall be personally liable therefor, and shall, upon conviction thereof, be deemed guilty of a misdemeanor. Violation of any of the provisions of this act shall be punishable by a fine of not less than \$100 nor more than \$500 or by confinement in the county jail not less than 10 days nor more than 6 months or by both such fine and imprisonment. This act shall not apply to any mausoleum now in process of construction.

**Lying-In Hospitals and Maternity Homes—License—Penalty for Violation of Law.**  
(Chap. 243, Act June 11, 1915.)

SECTION 1. Section 1542f of the statutes is amended to read:

Sec. 1542f. Any person found guilty of violating any of the provisions of section 1542a to 1542g,<sup>1</sup> inclusive, shall be punished by a fine of not less than \$10 nor more than \$500, or by imprisonment in the county jail not more than one year.

Sec. 2. There is added to the statutes a new section to read:

Sec. 1542g. Every person, persons, firm, or corporation who now conducts a lying-in hospital, hospital ward, maternity home, or other place for the reception, care, and treatment of pregnant women, and every person, persons, firm, or corporation

<sup>1</sup> These sections relate to the conduct of maternity hospitals and homes for infants.

who shall hereafter engage in conducting such business shall obtain a license from the State board of health which shall not be transferable to other persons or other premises. Every license when issued shall be without charge and shall expire on the 31st day of December next following the issuance. Every application for a license shall first be approved by the health officer of the township, incorporated village, or city in which such lying-in hospital, hospital ward, maternity hospital, or other place for the care and treatment of pregnant women shall be maintained.

Such license when issued shall be for a term not exceeding one year unless revoked by the State board of health for reasonable and just cause. The application for license shall state the name of the licensee, the street and number of the building, and the number of inmates which may be boarded there at one time. No greater number of inmates shall be housed at one time in the building than is authorized by the license, and no pregnant woman or infant shall be kept in a building or place not designated in the license. A record of licenses issued shall be kept by the State board of health, which shall forthwith give notice to the health officer of the township, incorporated village, or city in which the institution is located, of the granting of such license and of the terms thereof. Whoever establishes or keeps, or is concerned in establishing or keeping a hospital, hospital ward, maternity hospital, or other place for the purpose of caring for and treating pregnant women without such license shall be punished by a fine of not less than \$100 and for any subsequent offense by imprisonment for not less than one year.

**Tuberculin Test—Diseased Bovine Animals—Slaughtering and Appraisalment.**  
(Chap. 93, Act May 14, 1915.)

SECTION 1. Subsections 1 and 11 of section 1492b and subsection 1 of section 1492d of the statutes are amended to read:

SEC. 1492b. 1. Whenever the owner shall not exercise the option mentioned in the preceding section,<sup>1</sup> and it shall be deemed necessary by the board to slaughter diseased animals and animals reacting to the tuberculin test, either on the premises or at some designated abattoir or any other place for demonstration purposes, and the representative of the live-stock sanitary board and State veterinarian can not agree with the owner as to the value of such animal, written notice shall be given to the owner, his agent or the person in charge of such animals, and to a justice of the peace in the county in which the animals may be of the purpose to order the slaughter thereof, giving the number and description of the animals and the name of the owner.

11. The owners of condemned and slaughtered animals shall receive compensation therefor from the State until June 1, 1917, as follows:

(a) For bovine animals condemned and ordered slaughtered by the board, on account of reacting to the tuberculin test, but upon whose carcass no tubercular lesion were found, the full appraised value, which in no case shall exceed \$70.

(b) For bovine animals condemned and ordered slaughtered on account of having reacted to the tuberculin test, upon whose carcass tubercular lesions were found at the time of the slaughter thereof, but which carcass was passed for food by the inspector, three-fourths of the appraised value of such animal.

(c) For bovine animals described in subdivision (d) of this section, if the carcass of such animal is ordered tanked as unfit for food, by the inspector, one-half of the appraised value of such animal.

(d) For other animals condemned and ordered slaughtered by the board, three-fourths of the appraised value of such animal.

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<sup>1</sup> The section referred to grants the owner the option of "retaining the animals in quarantine, under such restrictions as the board may prescribe or of shipping them under the auspices and direction of the board to some abattoir designated by it for immediate slaughter under United States government inspection."

**SECTION 1492d.** 1. All claims against the State arising from the slaughter of animals shall be made by filing with the secretary of state a copy of the live-stock sanitary board's notice to the owner and to the justice of the peace, and the return of the appraisers to the justice, which notice and return shall be certified by such justice, together with a statement of the person under whose inspection such animals were slaughtered, giving the name and place of residence of the owner, the date on which such animals were slaughtered, the tag number of each animal, and showing whether tubercular lesions were found in the carcass of any such animal and stating whether such carcass was passed for food or tanked; the secretary of state and State veterinarian shall examine such statements, and if satisfied that the amounts at which such animals were appraised are just and that the owner of such animals or animals slaughtered is entitled to indemnity, the secretary of state shall issue his warrant in favor of the owner of such animal for the full sum named in such return for all animals ordered slaughtered by the proper authorities on account of reacting to the tuberculin test upon whose carcass the inspector failed to discover tubercular lesions at the slaughter thereof and for three-fourths of the sum named in such return for all other animals so slaughtered. In case the representative of the live-stock sanitary board and the State veterinarian can agree with the owner of the animal so slaughtered upon the value of such animal, claims against the State arising from the slaughter of animals shall be made in the same manner as hereinbefore provided in this subsection except that the returns as to the appraisal of animals so slaughtered shall be made by filing with the secretary of state a copy of the live-stock sanitary board's notice to the owner and a copy of their appraisal, which shall be certified to before a notary public, justice of the peace, or other person authorized to administer oaths.

**Tuberculin Test—Slaughtering of Diseased Animals—Disposition of Carcasses.**  
(Chap. 561, Act Aug. 17, 1915.)

**SECTION 1.** Subsection 9 of section 1492b of the statutes is amended to read:

**SEC. 1492b.** 9. If any such appraised animals be slaughtered on the premises of the owner thereof such slaughter shall be made under the supervision and direction of the State veterinarian or an assistant. If, after inspecting the carcass of the above-described animals, it is found, according to rules of inspection laid down by the live-stock sanitary board, which shall conform with those of the United States Bureau of Animal Industry, that the carcass is unfit for human food, he shall destroy such carcass, or cause the same to be buried and covered with a sufficient quantity of lime to destroy the carcass. The hide shall be disinfected and otherwise cared for according to rules laid down by the live-stock sanitary board. If the carcass is fit to be used for human food it may be disposed of in accordance with the provisions made by the said board.

**Tuberculin Test—Inspection of Live Stock for Interstate Shipment.** (Chap. 625, Act Aug. 23, 1915.)

**SECTION 1.** There is added to the statutes a new section, to read:

**SEC. 1492em.** 1. No inspection for interstate shipment of live stock shall be made in this State by any person other than an inspector of the United States Bureau of Animal Industry or an authorized inspector of the live stock sanitary board.

2. Any person violating any provision of subsection 1 of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$25 nor more than \$100, or by imprisonment in the county jail for not more than 30 days, or by both such fine and imprisonment.

3. Whenever inspections and tuberculin tests of cattle for interstate shipment from this State are not made or administered by an inspector of the United States Bureau of Animal Industry, the live stock sanitary board shall, upon request for such inspection or tuberculin test, cause such inspection or test to be made or administered.

4. Any person, firm, or corporation requesting inspection or tuberculin test of cattle for interstate shipment from this State shall pay therefor such fees as shall be determined by the live-stock sanitary board, which shall be as nearly equivalent to the cost of such inspection or test as can be determined from the records in the office of the said board. Such fees shall be paid to the person making the inspection or administering the tuberculin test before a certificate of inspection shall be delivered to the person, firm, or corporation. All moneys received as fees under the provisions of this section shall be paid into the State treasury, and shall be credited to the appropriation account of the State live-stock sanitary board. The board may require its inspectors to give such bond as it may determine.

5. Whenever cattle which have been tuberculin tested by an authorized inspector in this State prior to shipment from this State into another State and such cattle are tuberculin tested in such other State within three months after arrival therein, and an unreasonable number of such cattle react to such test, the State live-stock sanitary board shall investigate the facts in connection therewith. The said board may, as herein provided, compel the appearance before it of the person or the proper official of the firm or corporation making such shipment. If upon such investigation the State live-stock sanitary board shall find that the unreasonable number of reactors to the tuberculin test administered in such other State was due to the act or omission of such person, firm, or corporation, the said board shall thereafter deny to such person, firm, or corporation the privileges of inspection as herein provided.

6. Whenever the live-stock sanitary board or other similar board of any other State shall report to the live-stock sanitary board of this State that a person, firm, or corporation of such other State has bought and collected in this State a consignment of cattle which had been tuberculin tested by an authorized inspector in this State prior to shipment from this State into such other State that an unreasonable number of such cattle had reacted to such test in such other State, and that such facts were substantiated by post-mortem examination by a Federal meat inspector, the live-stock sanitary board shall thereafter deny to such person, firm, or corporation the privileges of inspection as provided in this section.

7. For the purpose of promoting live-stock sanitation and of carrying out the provisions of this section, the live-stock sanitary board shall have power to administer oaths, issue subpoenas, compel the attendance of witnesses, and the production of papers, books, accounts, documents, and testimony. In case of disobedience on the part of any person to comply with any order of the board, or any member thereof, or any subpoena issued in behalf of such board, or on the refusal of any witness to testify to any matters regarding which he may be lawfully interrogated, it shall be the duty of the circuit court of any county, or the judge thereof, on application of a member of the board, to compel obedience by attachment proceedings for contempt as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein. A record of all hearings had under the provisions of this section shall be kept in the office of the live-stock sanitary board.

**Ashes, Garbage, and Rubbish—Cities and Villages Authorized to Provide for the Collection and Removal of. (Chap. 163, Act May 27, 1915.)**

SECTION 1. Section 927*p* of the statutes is amended to read:

SEC. 927*p*. The common council of all cities and the village boards of all villages are authorized and empowered to cause the removal of ashes, garbage, and rubbish from residences, residence premises, and such other buildings and premises as may be determined by the common council or village board; and such common council or village board may create and establish one or more special districts in such city or village for the removal of ashes, garbage, and rubbish from residences, residence premises, and such other buildings and premises as may be determined by such common council or village board. It shall be optional with such common council

State, Territorial, District, municipal, and insular officials named in section five of this act. Every person who shall give an order as herein provided to any other person for any of the aforesaid drugs shall, at or before the time of giving such order, make or cause to be made a duplicate thereof on a form to be issued in blank for that purpose by the Commissioner of Internal Revenue, and in case of the acceptance of such order, shall preserve such duplicate for said period of two years in such a way as to be readily accessible to inspection by the officers, agents, employees, and officials hereinbefore mentioned. Nothing contained in this section shall apply—

(a) To the dispensing or distribution of any of the aforesaid drugs to a patient by a physician, dentist, or veterinary surgeon registered under this act in the course of his professional practice only: *Provided*, That such physician, dentist, or veterinary surgeon shall keep a record of all such drugs dispensed or distributed, showing the amount dispensed or distributed, the date, and the name and address of the patient to whom such drugs are dispensed or distributed, except such as may be dispensed or distributed to a patient upon whom such physician, dentist, or veterinary surgeon shall personally attend; and such record shall be kept for a period of two years from the date of dispensing or distributing such drugs, subject to inspection, as provided in this act.

(b) To the sale, dispensing, or distribution of any of the aforesaid drugs by a dealer to a consumer under and in pursuance of a written prescription issued by a physician, dentist, or veterinary surgeon registered under this act: *Provided, however*, That such prescription shall be dated as of the day on which signed and shall be signed by the physician, dentist, or veterinary surgeon who shall have issued the same: *And provided further*, That such dealer shall preserve such prescription for a period of two years from the day on which such prescription is filled in such a way as to be readily accessible to inspection by the officers, agents, employees, and officials hereinbefore mentioned.

(c) To the sale, exportation, shipment, or delivery of any of the aforesaid drugs by any person within the United States or any Territory or the District of Columbia or any of the insular possessions of the United States to any person in any foreign country, regulating their entry in accordance with such regulations for importation thereof into such foreign country as are prescribed by said country, such regulations to be promulgated from time to time by the Secretary of State of the United States.

(d) To the sale, barter, exchange, or giving away of any of the aforesaid drugs to any officer of the United States Government or of any State, territorial, district, county, or municipal or insular government lawfully engaged in making purchases thereof for the various departments of the Army and Navy, the Public Health Service, and for Government, State, territorial district, county, or municipal or insular hospitals or prisons.

The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall cause suitable forms to be prepared for the purposes above mentioned, and shall cause the same to be distributed to collectors of internal revenue for sale by them to those persons who shall have registered and paid the special tax as required by section one of this act in their districts, respectively; and no collector shall sell any of such forms to any persons other than a person who has registered and paid the special tax as required by section one of this act in his district. The price at which such forms shall be sold by said collectors shall be fixed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, but shall not exceed the sum of \$1 per hundred. Every collector shall keep an account of the number of such forms sold by him, the names of the purchasers, and the number of such forms sold to each of such purchasers. Whenever any collector shall sell any of such forms, he shall cause the name of the purchaser thereof to be plainly written or stamped thereon before delivering the same; and no person other than such purchaser shall use any of said forms bearing the name of such pur-

chaser for the purpose of procuring any of the aforesaid drugs, or furnish any of the forms bearing the name of such purchaser to any person with intent thereby to procure the shipment or delivery of any of the aforesaid drugs. It shall be unlawful for any person to obtain by means of said order forms any of the aforesaid drugs for any purpose other than the use, sale, or distribution thereof by him in the conduct of a lawful business in said drugs or in the legitimate practice of his profession.

The provisions of this act shall apply to the United States, the District of Columbia, the Territory of Alaska, the Territory of Hawaii, the insular possessions of the United States, and the Canal Zone. In Porto Rico and the Philippine Islands the administration of this act, the collection of the said special tax, and the issuance of the order forms specified in section two shall be performed by the appropriate internal-revenue officers of those governments, and all revenues collected hereunder in Porto Rico and the Philippine Islands shall accrue intact to the general governments thereof, respectively. The courts of first instance in the Philippine Islands shall possess and exercise jurisdiction in all cases arising under this act in said islands. The President is authorized and directed to issue such Executive orders as will carry into effect in the Canal Zone the intent and purpose of this act by providing for the registration and the imposition of a special tax upon all persons in the Canal Zone who produce, import, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivatives, or preparations.

SEC. 3. That any person who shall be registered in any internal-revenue district under the provisions of section 1 of this act shall, whenever required so to do by the collector of the district, render to the said collector a true and correct statement or return, verified by affidavit, setting forth the quantity of the aforesaid drugs received by him in said internal-revenue district during such period immediately preceding the demand of the collector, not exceeding three months, as the said collector may fix and determine; the names of the persons from whom the said drugs were received; the quantity in each instance received from each of such persons, and the date when received.

SEC. 4. That it shall be unlawful for any person who shall not have registered and paid the special tax as required by section 1 of this act to send, ship, carry, or deliver any of the aforesaid drugs from any State or Territory or the District of Columbia, or any insular possession of the United States, to any person in any other State or Territory or the District of Columbia or any insular possession of the United States: *Provided*, That nothing contained in this section shall apply to common carriers engaged in transporting the aforesaid drugs, or to any employee acting within the scope of his employment, of any person who shall have registered and paid the special tax as required by section 1 of this act, or to any person who shall deliver any such drug which has been prescribed or dispensed by a physician, dentist, or veterinarian required to register under the terms of this act, who has been employed to prescribe for the particular patient receiving such drug, or to any United States, State, county, municipal, district, Territorial, or insular officer or official acting within the scope of his official duties.

SEC. 5. That the duplicate-order forms and the prescriptions required to be preserved under the provisions of section 2 of this act, and the statements or returns filed in the office of the collector of the district, under the provisions of section 3 of this act, shall be open to inspection by officers, agents, and employees of the Treasury Department duly authorized for that purpose; and such officials of any State or Territory, or of any organized municipality therein, or of the District of Columbia, or any insular possession of the United States, as shall be charged with the enforcement of any law or municipal ordinance regulating the sale, prescribing, dispensing, dealing in, or distribution of the aforesaid drugs. Each collector of internal revenue is hereby authorized to furnish, upon written request, certified copies of any of the said statements or returns filed in his office to any of such officials of any State or Territory or organized

municipality therein, or the District of Columbia, or any insular possession of the United States as shall be entitled to inspect the said statements or returns filed in the office of the said collector, upon the payment of a fee of \$1 for each 100 words or fraction thereof in the copy or copies so requested. Any person who shall disclose the information contained in the said statements or returns or in the said duplicate-order forms, except as herein expressly provided, and except for the purpose of enforcing the provisions of this act, or for the purpose of enforcing any law of any State or Territory or the District of Columbia, or any insular possession of the United States, or ordinance of any organized municipality therein, regulating the sale, prescribing, dispensing, dealing in, or distribution of the aforesaid drugs, shall on conviction be fined or imprisoned as provided by section 9 of this act. And collectors of internal revenue are hereby authorized to furnish upon written request, to any person, a certified copy of the names of any or all persons who may be listed in their respective collection districts as special taxpayers under the provisions of this act, upon payment of a fee of \$1 for each 100 names or fraction thereof in the copy so requested.

Sec. 6. That the provisions of this act shall not be construed to apply to the sale, distribution, giving away, dispensing, or possession of preparations and remedies which do not contain more than 2 grains of opium, or more than one-fourth of a grain of morphine, or more than one-eighth of a grain of heroin, or more than 1 grain of codeine; or any salt or derivative of any of them, in 1 fluid ounce, or, if a solid or semisolid preparation, in 1 avoirdupois ounce; or to liniments, ointments, or other preparations which are prepared for external use only, except liniments, ointments, and other preparations which contain cocaine or any of its salts or alpha or beta eucaine or any of their salts or any synthetic substitute for them: *Provided*, That such remedies and preparations are sold, distributed, given away, dispensed, or possessed as medicines and not for the purpose of evading the intentions and provisions of this act. The provisions of this act shall not apply to decocainized coca leaves or preparations made therefrom, or to other preparations of coca leaves which do not contain cocaine.

Sec. 7. That all laws relating to the assessment, collection, remission, and refund of internal-revenue taxes, including section 3229 of the Revised Statutes of the United States, so far as applicable to and not inconsistent with the provisions of this act, are hereby extended and made applicable to the special taxes imposed by this act.

Sec. 8. That it shall be unlawful for any person not registered under the provisions of this act, and who has not paid the special tax provided for by this act, to have in his possession or under his control any of the aforesaid drugs; and such possession or control shall be presumptive evidence of a violation of this section, and also of a violation of the provisions of section 1 of this act: *Provided*, That this section shall not apply to any employee of a registered person, or to a nurse under the supervision of a physician, dentist, or veterinary surgeon registered under this act, having such possession or control by virtue of his employment or occupation and not on his own account; or to the possession of any of the aforesaid drugs which has or have been prescribed in good faith by a physician, dentist, or veterinary surgeon registered under this act; or to any United States, State, county, municipal, District, Territorial, or insular officer or official who has possession of any said drugs, by reason of his official duties, or to a warehouseman holding possession for a person registered and who has paid the taxes under this act; or to common carriers engaged in transporting such drugs: *Provided further*, That it shall not be necessary to negative any of the aforesaid exemptions in any complaint, information, indictment, or other writ or proceeding laid or brought under this act; and the burden of proof of any such exemption shall be upon the defendant.

Sec. 9. That any person who violates or fails to comply with any of the requirements of this act shall, on conviction, be fined not more than \$2,000 or be imprisoned not more than five years, or both, in the discretion of the court.



SEC. 10. That the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, is authorized to appoint such agents, deputy collectors, inspectors, chemists, assistant chemists, clerks, and messengers in the field and in the Bureau of Internal Revenue in the District of Columbia as may be necessary to enforce the provisions of this act.

SEC. 11. That the sum of \$150,000, or so much thereof as may be necessary, be, and hereby is, appropriated, out of any moneys in the Treasury not otherwise appropriated, for the purpose of carrying into effect the provisions of this act.

SEC. 12. That nothing contained in this act shall be construed to impair, alter, amend, or repeal any of the provisions of the act of Congress approved June 30, 1906, entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded, or poisonous, or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," and any amendment thereof, or of the act approved February 9, 1909, entitled "An act to prohibit the importation and use of opium for other than medicinal purposes," and any amendment thereof.



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